

A G E N D A

Planning Committee

Date: **Friday, 26th September, 2008**

Time: **10.00 a.m.**

Place: **The Council Chamber, Brockington, 35
Hafod Road, Hereford**

Notes: Please note the **time, date** and **venue** of the meeting.

For any further information please contact:

*Pete Martens, Committee Manager Planning &
Regulatory, Tel 01432 260248
E-mail: pmartens@herefordshire.gov.uk*

Herefordshire Council

AGENDA

for the Meeting of the Planning Committee

To: Councillor TW Hunt (Chairman)
Councillor RV Stockton (Vice-Chairman)

Councillors ACR Chappell, PGH Cutter, H Davies, GFM Dawe, DW Greenow, KS Guthrie, JW Hope MBE, B Hunt, G Lucas, RI Matthews, PM Morgan, JE Pemberton, AP Taylor, DC Taylor, WJ Walling, PJ Watts and JD Woodward

1. APOLOGIES FOR ABSENCE

To receive apologies for absence.

2. NAMED SUBSTITUTES (IF ANY)

To receive details any details of Members nominated to attend the meeting in place of a Member of the Committee.

3. DECLARATIONS OF INTEREST

To receive any declarations of interest by Members in respect of items on the Agenda.

GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS

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4. MINUTES

To approve and sign the Minutes of the meeting held on 15 August 2008.

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5. CHAIRMAN'S ANNOUNCEMENTS	
To receive any announcements from the Chairman.	
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To receive the attached report of the Central Area Planning Sub-Committee meeting held on 3 September 2008.	
8. SOUTHERN AREA PLANNING SUB-COMMITTEE	11 - 12
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Ward: Ross on Wye East	
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The application has been referred to the Committee because the Northern Area Planning Sub-Committee was minded to refuse it, contrary to Council Policy and Officer advice.	
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13. DATE OF NEXT MEETING

14 November 2008

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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HEREFORDSHIRE COUNCIL

MINUTES of the meeting of Planning Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Friday, 15 August 2008 at 10.00 a.m.

Present: Councillor TW Hunt (Chairman)
Councillor *RV Stockton (Vice Chairman)

Councillors: ACR Chappell, PGH Cutter, GFM Dawe, BA Durkin, PJ Edwards, JHR Goodwin, DW Greenow, B Hunt, MD Lloyd-Hayes, G Lucas, R Mills, PM Morgan, AP Taylor, DC Taylor, WJ Walling, PJ Watts and JD Woodward

27. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors H Davies, KS Guthrie, JW Hope, J Pemberton and RV Stockton.

28. NAMED SUBSTITUTES (IF ANY)

The following named substitutes were appointed:-

Councillor BA Durkin for Councillor J Pemberton.
Councillor J Goodwin for Councillor JW Hope.
Councillor Lloyd Hayes for Councillor H Davies.
Councillor R Mills for Councillor KS Guthrie.

29. DECLARATIONS OF INTEREST

Councillor PJ Edwards declared a personal interest in Agenda item No. 11, Minute No. 37 (Herefordshire Unitary Development Plan: Outcome of Legal Challenge).

30. MINUTES

RESOLVED: That the Minutes of the meeting held on 4th July, 2008 be approved as a correct record and signed by the Chairman

31. CHAIRMAN'S ANNOUNCEMENTS

COUNCILLOR RBA BURKE

The Chairman expressed his sadness at the recent loss of Councillor RBA Burke and the Committee stood in silent tribute to his memory.

REEVES HILL WIND TURBINE

The Council has received a planning application accompanied by an Environmental Impact Statement for the erection of 4 wind turbines at Reeves Hill in the northwest of the County. The application is in the midst of public consultation with a view to it being submitted to a future meeting of the Committee. A site visit will be undertaken prior to the meeting and existing turbines in Gwynedd will be viewed to note their impact on a rural setting.

32. NORTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meeting held on 2nd & 30th July 2008 be received and noted.

33. CENTRAL AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meeting held on 9th July & 6th August 2008 be received and noted.

34. SOUTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meeting held on 23 July 2008 be received and noted.

35. DCNW2008/1368/F - PROPOSED AGRICULTURAL WORKER'S DWELLING AND GARDEN AT LOWER WOONTON GRANGE, WOONTON, ALMELEY, HEREFORD, HEREFORDSHIRE, HR3 6PX

The Senior Planning Officer presented a report about the application which had been referred to the Committee because the Northern Area Planning Sub-Committee was mindful to approve it contrary to planning policies and officer advice. He referred to correspondence received from the applicant and described the application site and what it was used for, pointing out that it was part of the main farm complex which was situated some two miles from the application site.

In accordance with the criteria for public speaking, Mr Gwilliam, the applicant's agent, spoke in favour of the application.

Councillor GW Greenow said that he supported the application because he was of the view that there was a legitimate need for the development. He felt that although part of the business was based in New Zealand, the majority was located in the UK and that and that an agricultural worker needed to be on site because of the particular breed of cattle which required greater attention to breed and manage to maximise market prices compared to some other breeds which were easier to manage. He felt that every assistance should be given for a local person to be able to remain in agriculture near to his family because of the 24 hour nature of the job.

The Senior Planning Officer said that the Officers had observed the site on a number of occasions and had not seen any evidence of essential need such as providing help for cows that were calving there. The key issues about the application related to the justification for a dwelling on site and the financial ability of the existing business to absorb the cost of a second dwelling. The application site was comprised of approximately 84 acres of land with an adjacent modern steel-framed agricultural building used for the over-wintering of beef cattle.

Officers were of the opinion that the management system of the cattle did not have an essential need for a permanent dwelling on site as this could be done from the main holding of Lower Woonton Farm which had a comprehensive range of agricultural buildings. The Senior Planning Officer was of the view that the application could not be supported because insufficient essential and functional need had been demonstrated for a permanent dwelling. Furthermore he felt that the application failed the financial test as set out in PPS7. The site also contained insufficient visibility splays on entrance/exit to the adjacent public highway.

The Committee discussed the merits of the application and the functional and financial tests that were applicable. The type of agricultural work undertaken by the applicant was noted, particularly that involving ewe scanning in New Zealand and the UK. The Senior Planning Officer answered a number of questions raised by Members about the application, the relevance of animal welfare issues, whether an agricultural condition could be imposed and the issue of acceptable visibility splays. The Planning Policy Manager emphasised that the application did not meet the criteria for an agricultural worker to be present 24 hours per day and that the existing farm had sufficient accommodation to meet all the current requirements of the applicant. If it was granted the application would constitute a new dwelling in the open countryside. Having carefully considered the points made in favour and against the application, the Committee concurred with the view of the Officers that it should be refused.

RESOLVED

That planning permission be refused for the following reasons:

- (i) No essential need has been proven to house an agricultural worker at this specific location. Insufficient financial justification has been provided to indicate that the enterprise has been planned on a sound financial basis. therefore the application fails to comply with Policies S1 and H8 of the Herefordshire Unitary Development Plan 2007 and Planning Policy Statement 7 : Sustainable Development in Rural Areas.**
- (ii) The site lacks sufficient visibility splays on its entrance from the public highway. Therefore the proposal does not comply with Policy DR3 of the Herefordshire Unitary Development Plan 2007.**

36. DCNW2008/1391/F - PROPOSED TWO STOREY EXTENSION AND CHANGE OF USE OF AGRICULTURAL LAND TO RESIDENTIAL AT KEEPERS COTTAGE, WINFORTON, HEREFORD, HEREFORDSHIRE, HR3 6EB

A report was presented by the Senior Planning Officer about an application which had been referred to the Committee because the Northern Area Planning Sub-Committee was mindful to grant planning permission contrary to recommendation and Officer advice. He said that the proposal was contrary to policy because of its scale and mass compared to the original building which had originally been constructed as an octagonal water tower. It had been converted to living accommodation and altered and extended since. The Planning Policy Manager said that extensions should be commensurate with the original building but that in this case the application would lead to the dwelling becoming three times the size of the original building. It would therefore have a considerable impact on the landscape and reduce the number of smaller dwellings in the countryside.

Councillor TM James was of the view that the building and rebuilding of dwellings was commonplace in the countryside and that in this instance the owners were making a genuine attempt to preserve and renovate an unusual building and provide adequate accommodation to cater for the requirements of their family. He felt that the octagon formed a central feature of the building and that the proposed extension would considerably improve its visual appearance and give it greater balance. Councillor JHR Goodwin echoed this view and noted that the unique building was in a remote location, would not overlook any other properties and felt that the proposals would considerably improve its appearance. There had been no objections to the application and he felt that the recommendation from the Sub-Committee should be

endorsed. Councillors Mills and Dawe were concerned at the implications for the housing stock in Herefordshire and felt that the building had already been adequately extended. The Head of Planning and Transportation said that the application constituted a significant departure from the Council's policies and that although it appeared to be a good scheme, it was in the wrong location and did not comply with the aims of the Herefordshire Unitary Development Plan.

Having considered all the implications of the application the Committee felt that because of the unique building involved, a departure could be made to the Council's planning policies without setting a precedent and that it could be granted.

RESOLVED

That planning permission be granted subject to any appropriate conditions felt to be necessary by the Head of Planning and Transportation

37. HEREFORDSHIRE UNITARY DEVELOPMENT PLAN: OUTCOME OF LEGAL CHALLENGE

It was noted that the Dinedor Hill Action Association had successfully challenged the allocation of a site for 300 new houses at Bullinghope within the Herefordshire Unitary Development Plan (UDP), by way of Judicial Review. The case was heard in the High Court of Justice in June and the judgement was that the allocation should be deleted from the UDP. No change was made to the Settlement Boundary for Hereford because that boundary was the subject of a separate policy and the Dinedor Hill Action Association was out-of-time to challenge that policy. Although the proposed site for the 300 houses remained within the Settlement Boundary it was not allocated for development. This was not felt to be a problem in the judgement because the removal of the site from the list of allocations would be a material consideration in the determination of any planning application on it. The Legal Practice Manager reported that the Council, as an interested party, had recently been served with a Notice of Leave to Appeal by Bloor Homes, the proposed developers of the 300 dwellings. The outcome of this matter therefore needed to be known before the Council could decide whether any further action was merited.

RESOLVED THAT:

- (i) the outcome of the High Court decision which is the subject of appeal be noted;**
- (ii) the proposed amendments to the Herefordshire Unitary Development Plan be noted.**

38. HEREFORDSHIRE LOCAL DEVELOPMENT FRAMEWORK: CORE STRATEGY: DEVELOPING OPTIONS PAPER CONSULTATION

The Planning Policy Manager presented a report to inform Members of the methods of public engagement, consultation and publicity undertaken as part of the Core Strategy Developing Options Paper. He said that Core Strategy Options set out the vision for the County and its places for 2026, and included 9 objectives and 4 strategic spatial options. The Paper also proposed a number of "Place shaping" options including:

- options regarding the future role of the City and market towns;
- the strategic distribution of housing, including an indication of potential

directions of growth;

- the potential for economic diversification;
- retail provision in the market towns and the integration of the City centre with the Edgar Street Grid redevelopment; and
- any transportation infrastructure requirements

As well as the strategy options and place shaping policies, the Paper included a number of general policies which would help to manage development. This includes affordable housing, renewable energy, waste and flooding. The Planning Policy Manager explained the process that had been involved in the participation exercise, the views expressed and the written responses that had been received. A considerable amount of information had been received which would be disseminated and the subject of a future report to the Committee. Councillor PGH Cutter expressed his appreciation for the invaluable work undertaken by the Officers on the matter.

RESOLVED THAT:

the Committee note the initial public response to the Developing Options paper and awaits further progress reports on the emerging Core Strategy.

39. DATE OF NEXT MEETING

26 September 2008

The meeting ended at 11.50 a.m.

CHAIRMAN

PLANNING COMMITTEE

26 SEPTEMBER 2008

**REPORT OF THE NORTHERN AREA PLANNING
SUB-COMMITTEE**

Meeting held on 27 August 2008

Membership:

Councillor JW Hope MBE (Chairman)

Councillor PJ Watts (Vice-Chairman)

**Councillors LO Barnett, WLS Bowen, RBA Burke, ME Cooper,
JP French, JHR Goodwin, KG Grumbley, B Hunt, RC Hunt, TW Hunt,
TM James, P Jones CBE, R Mills, PM Morgan, RJ Phillips, A Seldon, RV
Stockton, J Stone, JK Swinburne,**

PLANNING APPLICATIONS

1. The Sub-Committee has dealt with the planning applications referred to it as follows:-
 - (a) applications approved as recommended - 4
 - (b) applications refused as recommended - 0
 - (c) applications deferred for further information/site inspection - 0
 - (d) applications approved or refused against officer recommendation - 3
 - (e) number of public speakers - 3 parish/town council representatives, 0 objectors and 3 supporters

PLANNING APPEALS

2. The Sub-Committee received information reports about 2 appeals received, and 3 determined (2 dismissed and 1 upheld).

**JW HOPE MBE
CHAIRMAN
NORTHERN AREA PLANNING SUB-COMMITTEE**

- **BACKGROUND PAPERS – Agenda for meeting held on 27 August 2008.**

PLANNING COMMITTEE

26 SEPTEMBER 2008

REPORT OF THE CENTRAL AREA PLANNING SUB-COMMITTEE

Meeting held on 3 September 2008

Membership

Councillors:

JE Pemberton (Chairman)
GA Powell (Vice-Chairman)

PA Andrews, WU Attfield, DJ Benjamin, AJM Blackshaw, ACR Chappell, SPA Daniels, H Davies, GFM Dawe, PJ Edwards, DW Greenow, KS Guthrie, MAF Hubbard, TW Hunt (ex-officio), MD Lloyd-Hayes, RI Matthews, AT Oliver, SJ Robertson, RV Stockton (ex-officio), AP Taylor, AM Toon, NL Vaughan, WJ Walling, DB Wilcox and JD Woodward.

PLANNING APPLICATIONS

1. The Sub-Committee has met once since the last report and dealt with the planning applications referred to it as follows:-
 - (a) applications approved as recommended - 7
 - (b) applications minded to refuse, contrary to recommendation - 2 (not referred)
 - (c) site inspections agreed - 1 (in advance of report)
 - (d) number of public speakers - 2 (1 objector, 1 supporter)

PLANNING APPEALS

2. The Sub-Committee received information reports about 4 appeals that had been determined (3 dismissed, 1 withdrawn).

JE PEMBERTON
CHAIRMAN
CENTRAL AREA PLANNING SUB-COMMITTEE

- **BACKGROUND PAPERS – Agenda for the meeting held on 3 September 2008**

PLANNING COMMITTEE

26 September 2008

**REPORT OF THE SOUTHERN AREA PLANNING
SUB-COMMITTEE**

Meetings held on 20 August and 17 September 2008

Membership:

**Councillors: Councillor PGH Cutter (Chairman)
Councillors MJ Fishley (Vice-Chairman)**

CM Bartrum, H. Bramer, BA Durkin, MJ Fishley, A.E. Gray, TW Hunt (Ex-officio), JA Hyde, JG Jarvis, G Lucas, PD Price, RH Smith, RV Stockton (Ex-officio), D.C. Taylor and J.B. Williams

PLANNING APPLICATIONS

1. The Sub-Committee has dealt with the planning applications referred to it as follows:-
 - (a) applications approved - 4
 - (b) applications refused - 1
 - (c) applications deferred pending a site visit - 1
 - (d) number of public speakers - 8 (6 supporters and 2 objector)

PLANNING APPEALS

2. The Sub-Committee received information reports on 2 appeals received and 7 appeals determined (3 Dismissed and 4 Upheld).

**PGH Cutter
CHAIRMAN
SOUTHERN AREA PLANNING SUB-COMMITTEE**

- **BACKGROUND PAPERS – Agenda for the meetings on 20 August and 17 September 2008.**

MODEL FARM SUPPLEMENTARY PLANNING DOCUMENT

Report By: Planning Policy Manager

1 Wards Affected

Ross on Wye East

2 Purpose

- 2.1 To inform members of the comments received to the Draft Model Farm Supplementary Planning Document (SPD) published for consultation purposes in June this year and to consider appropriate changes. This document is included within the Council's Local Development Scheme and is being produced as part of Herefordshire's Local Development Framework. As a development brief it outlines the approach that should be taken to the development of the site for employment purposes. Once adopted it will form a material consideration in the determination of future planning applications.

3 Financial Implications

- 3.1 The costs of preparing and producing this document are being met from the Planning Delivery Grant.

4 Background

- 4.1 Model Farm is Council owned land located in the Hildersley area of Ross-on-wye, approximately one mile to the east of the town centre. The site, which totals some 15 hectares is within the settlement boundary of Ross-on-Wye and is identified in the adopted Herefordshire Unitary Development Plan under policy E3 as an allocated employment site.
- 4.2 This supplementary planning document (SPD) has been prepared by consultants on behalf of Ross Area Partnership and Herefordshire Council. It has been produced to expand upon and provide additional information and guidance in support of policies contained within the Herefordshire Unitary Development Plan and in particular particularly policy E3. It expands upon the outline planning permission gained in January 2008 for the development of employment uses including B1, B2 and B8 together with the change of use an adjacent landscape buffer zone. Whilst that permission agreed a new vehicular access to be formed onto the A40(T) to the south east corner of the site, matters concerning the layout, scale, appearance and landscaping of the development were reserved for future consideration.
- 4.3 Whilst significant consultation took place through the UDP process in respect of the use of this land for employment purposes and again more recently through the outline planning application, consultation on the more detailed proposals, design and layout have been through the preparation of this SPD. A draft SPD forming a development brief was published for consultation

purposes in June this year along with a Sustainability Appraisal and Consultation Statement. Consultation on the draft brief took place over a six week period 12 June to 25 July 2008 and was undertaken in accordance with the Council's Statement of Community Involvement. A public meeting was held in the Ryefield Centre, Ross on Wye on 2 July to enable local discussion on the draft proposals.

5 Aims of the SPD

5.1 The principal aim of the SPD is to set out a clear vision for the development and delivery of the site to meet the needs of Ross-on-Wye. It will guide the sustainable development of Model Farm and also help prospective developers achieve a high quality development, maximising the site's contribution to the development of the local economy. In so doing the SPD will:

- Provide guidance on the existing planning policy framework which will influence the delivery of any future planning application;
- Identify the development requirements and constraints of the site;
- Provide guidance on the delivery of high quality design and landscaping principles for the site;
- Provide guidance on the delivery of access and movement to, from and within the site; and
- Ensure that the development can become fully integrated with the surrounding area.

6 Development Objectives

6.1 The principal development objective identified for the site is the creation of a pathfinder employment development, assisting in the growth of the local economy and providing diversified sources of employment away from traditional industries. The SPD confirms a preference for the development of innovative knowledge based businesses which will act as a catalyst for future employment and economic growth within the area. This will result in a diversifying away from a local economy that has been dominated by a number of large storage, distribution and general industrial uses. To achieve this will involve the delivery of a mix of employment uses including high quality commercial space, offices and an element of live/work development with supporting infrastructure.

6.2 In addition to the delivery of a pathfinder employment development, the SPD requires proposals to deliver a scheme which:

- Is a highly sustainable low carbon development
- Is innovative in design
- Promotes vibrant community development
- Is affordable

- Promotes the development of a modern enterprise cluster within the area.

7 Development Requirements

7.1 The SPD requires a comprehensive design approach to be taken to the site as a whole to ensure full integration of all components of the scheme, including the different business uses proposed. Consideration of the site in its entirety will enable the design and layout of the scheme to develop in a cohesive manner and create a sense of identity. Whilst the UDP through policy E3 identifies a number of development issues that need to be addressed within any development, the SPD expands upon and provides additional policy guidance under the following headings:

- Building form and layout
- Access and movement
- Archaeology
- Green buffer
- Landscaping, boundary treatments and nature conservation
- Drainage and aquifer
- Planning obligation

7.2 Further sections describe the additional information that is required to accompany a planning application i.e. design and access statement, surface water drainage scheme, ecological assessment, whilst a number of design principles are set out which any proposal are required to address.

7.3 An element of the Model Farm site has been identified as being appropriate for the delivery of a new form of economic development comprising a live/work development. The SPD describes the live/work concept and its benefits in the context of Ross-on-Wye. Growth in the live/work employment sector provides a significant opportunity for the diversification and growth of rural economies, previously dependent on agricultural and traditional economies.

8. Comments received and Suggested Amendments

8.1 Comments received were from the Environment Agency, Natural England, Advantage West Midlands, Ross Area Partnership, Ross and District Civic Society and a number of local residents. All written comments and the Council's response is set out within the schedule attached (Appendix 1) and the Consultation Statement. In summary, amendments are proposed to address

- Issues relating to the use, management and landscaping of the buffer zone
- Pedestrian and cycle access through/into the buffer zone/use of disused railway line

- Measures to restore, enhance and manage biodiversity into the overall design
- Inclusion of appropriate renewable energy generation to supply the development
- Pollution prevention measures
- Techniques for efficient use of water
- Use of permeable paving solutions

8.2 An amended version of the SPD is attached (Appendix 2).

RECOMMENDATION

THAT the Cabinet Member (Environment and Strategic Housing) be recommended to agree the changes to the draft Model Farm SPD as identified in this report and for the document to be adopted as part of the Councils Local Development Framework.

Background papers

Local Development Scheme (January 2008)
Statement of Community Involvement (Adopted March 2007)
Herefordshire Unitary Development Plan (Adopted March 2007)



Shaping our Place 2026

Model Farm Supplementary Planning Document

Statement of Consultation

September 2008

Prepared on behalf of Ross Area Partnership
& Herefordshire Council
by
Hunter Page Planning

Local Development Framework

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Appendices

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- Appendix 2 – Notice of Public Consultation
- Appendix 3 – Notes of the Public Meeting
- Appendix 4 – Representations Received and Responses

1.0 Introduction

- 1.1 This Statement of Consultation has been prepared in accordance with the requirements set out under Regulation 17 of the Town and Country Planning (Local Development) (England) Regulations 2004 (herein referred to as the Regulations 2004).
- 1.2 Prior to the adoption of any Supplementary Planning Document (SPD) Local Planning Authorities must undertake a scheme of consultation. This statement sets out the consultation undertaken in association with the preparation of the Development Brief for Model Farm, Ross-on-Wye. It outlines the approach taken to engage the local community in the development process at Model Farm.
- 1.3 It includes a list of the consultees and comments provided as part of the consultation process.

2.0 Consultation Requirements

- 2.1 The Planning and Compulsory Purchase Act 2004 establishes the importance of public participation in the planning process and sets out the requirements of the planning system.
- 2.2 Regulation 17 of the Town and Country Planning (Local Development (England) Regulations 2004 goes on to provide the specific requirements for public participation in the preparation and adoption of all Supplementary Planning Documents. It states that prior to the adoption of an SPD local planning authority's must:-
 - A) *make copies of the SPD documents and a statement of the SPD matters available for inspection during normal office hours –*
 - i) *at their principal office, and*
 - ii) *at such other places within their area as the authority consider appropriate; and*
 - B) *prepare a statement setting out –*
 - i) *the names of any persons whom the authority consulted in connection with the preparation of the SPD,*
 - ii) *how persons were consulted,*
 - iii) *a summary of the main issues raised in those consultations,*
 - iv) *how those issues have been addressed in the SPD.*

3.0 Public Consultation Undertaken

Herefordshire Unitary Development Plan

- 3.1 Extensive public consultation has previously been undertaken regarding the allocation of development at Model Farm as part of the preparation of the Herefordshire Unitary Development Plan (UDP), which concluded that the site was suitable for development. In addition, a number of considerations were incorporated within the site allocation, such as highway considerations, the landscape buffer area and the Alton Court Aquifer. Whilst there were some objections to the allocation of Model Farm for employment use development, they were not considered to fundamentally affect its suitability for development and Herefordshire Council resolved to adopt the site allocation.

Outline Planning Application

- 3.2 As part of the associated outline planning application (app ref: DCSE2007/3140/O) two public consultation events were organised to present information relating to the redevelopment of Model Farm to local residents. Both exhibitions were held in Ross-on-Wye library, the first on 27th September 2007 and the second on 29th September 2007.
- 3.3 It is estimated that between 20 and 25 people visited the exhibition over both days, which is considerably lower than would be expected for such a proposal. The event was advertised by way of a notice in the local newspaper and by posters displayed in the local area.

Draft Supplementary Planning Document

- 3.4 The draft SPD was published for consultation purposes with a six week duration of 12th June 2008 to 25th July 2008 being the time period for comments to be made.
- 3.5 A public notice (Appendix 2) was placed in local newspapers identifying locations where the SPD and associated documents could be viewed. A copy of all documents have been made available for inspection online at www.herefordshire.gov.uk.
- 3.6 In accordance with the guidance contained within paragraph 3, section 17, of the Regulations 2004, statutory consultees, key stakeholders, community groups, service providers and interest groups known to have an interest or will be involved with any future development of the site were informed of the development brief and invited to pass comment. All groups are included at Appendix 1 of this statement.
- 3.7 In addition, all local residents who live near Model Farm were informed by letter of its preparation and were invited to view the documents and make comment should they wish.

- 3.8 A public meeting was held at the Ryefield Centre, Ross-on-Wye on 2nd July 2008 where a presentation and discussion took place with local residents on the draft proposals. Notes of the meeting are set out in Appendix 3.
- 3.9 Internal consultations between departments of the Council and external bodies have been undertaken throughout the preparation of the development brief. Advantage West Midlands were also consulted at an early stage.
- 3.10 Amongst the Council departments consulted included the planning department, economic regeneration and estates management. External organisations, including the Live/work network and Advantage West Midlands, were consulted regarding the inclusion of both live/work and the possibility of an Enterprise Hub on the site.
- 3.11 All comments received have been recorded and considered as part of the final Consultation Statement. Appendix 2 sets out the comments received and the Council's response.

Appendix 1 - List of Consultees

Advantage West Midlands
British Telecom
Central Networks
Chamber of Commerce Herefordshire and Worcestershire
Dwr Cymru Welsh Water
Environment Agency
Federation of Small Businessess
Hereford & Worcester Fire Brigade
Hereford Industrial Assoc
Herefordshire Industrial Assoc
Herefordshire Market Towns Forum
Herefordshire Partnership
Herefordshire Partnership
Highways Agency
Midlands Electricity Plc
National Grid
National Power Plc
Natural England
Ross & District Community Development Group
Ross Action Committee
Ross Area Partnership
Ross Civic Society
Ross on Wye Town Council
Ross Rural Parish Council
Ross-on-Wye Chamber of Commerce
Ross-on-Wye District Community Assoc
The Employment Service
The Ross on Wye & District Civic Society

Appendix 2 – Notice of Public Consultation

**The Town and Country Planning (Local Development)(England) Regulations 2004,
Local Development Framework
Draft Supplementary Planning Documents
Model Farm, Ross-on-Wye
Archaeology and Development
Public Consultation Exercise – 12 June 2008 to 25 July 2008**

Notice is hereby given that a 6-week public consultation exercise will be taking place from the 12 June 2008 until 25 July 2008 on the contents of the above Supplementary Planning Documents. The documents provide advice to developers and applicants when considering planning applications.

The documents and associated Consultation Statements and Sustainability Appraisal Reports can be viewed on the Council's web site at www.herefordshire.gov.uk or at the locations shown below. Copies of the documents can also be obtained on request.

If you have any comments to make on these draft documents, please can you make them in writing using the representation form provided and return to the address below before 5p.m on 25 July 2008. All comments received will be acknowledged, considered and reported to a future Planning Committee and Cabinet. It is anticipated these documents will be adopted late Autumn of 2008. Please specify if you would like to be notified of the date of adoption of these documents.

INFO in Herefordshire		
Bromyard	The Bromyard Centre, Croxwell Street	Mon to Fri - 8.15am - 9.00pm. Sat & Sun - 9.00am - 4.00pm
Hereford	the Hereford Centre, Garrick House, Widemarsh Street	Mon to Thurs - 8.45am - 5.15pm. Fri - 8.45 - 4.45pm. Sat 9.00am - 1.00pm
Kington	2 Mill Street	Mon, Wed, Fri, Sat - 9.00am - 1.00pm. Tues - 9.00am - 6.00pm. Thurs - 12.00pm - 6.00pm
Ladbury	St Katherines, High Street	Mon to Thurs - 8.45am - 5.15pm. Fri - 8.45 - 4.45pm
Leominster	11 Corn Square	Mon to Thurs - 8.45am - 5.15pm. Fri - 8.45 - 4.45pm
Ross on Wye	Swan House, Edde Cross Street	Mon to Thurs - 8.45am - 5.15pm. Fri - 8.45 - 4.45pm
Libraries		
Belmont	Belmont Community Centre, Eastholme Avenue	Tues, Thurs & Fri- 9.30am - 1.00pm and 2.00pm - 5.00pm. Sat - 10.00am - 1.00pm
Bromyard	The Bromyard Centre, Croxwell Street	Mon to Fri - 8.15am - 9.30pm. Sat & Sun - 9.00am - 6.00pm
Colwall	Humphry Walwyn Library	Mon - 5.00pm - 7.30pm. Tues & Fri - 10.00am - 1.00pm and 2.00pm - 5.30pm. Wed - 2.00pm - 7.30pm. Sat - 10.00am - 1.00pm and 2.00pm - 4.00pm
Hereford	Broad Street	Tues, Wed, Fri - 9.00am - 7.30pm. Thurs - 9.00am - 5.30pm. Sat - 9.30am - 4.00pm
Kington	64 Bridge Street	Tues & Fri - 10.00am - 5.30pm. Thurs & Sat - 10.00am - 1.00pm
Ladbury	Bye Street	Tues & Thurs - 9.00am - 5.30pm. Wed & Fri - 9.00am - 7.30pm. Sat - 9.30am - 4.00pm
Leintwardine	Community Centre, High Street	Tues - 10.00am - 1.00pm. Fri - 2.30pm - 5.30pm
Leominster	8 Buttercross	Tues & Fri - 9.00am - 5.30pm. Wed & Thurs - 9.00am - 7.30pm. Sat - 9.30am - 4.00pm
Ross on Wye	Cantilupe Road	Tues & Thurs - 9.00am - 7.30pm. Wed & Fri - 9.00am - 5.30pm. Sat - 9.30am - 4.00pm
Weobley	Old Police Court, Back Lane	Mon - 10.00am - 1.00pm. Thurs - 3.00pm - 6.00pm

Andrew Ashcroft
Head of Planning and Transportation, Plough Lane,
PO Box 4, Hereford, HR4 0XH
Tel: 01432 260133
Fax: 01432 383031
Email: ldf@herefordshire.gov.uk



Appendix 3 – Notes of the Public Meeting

Notes of a presentation meeting held in respect of the Model Farm Supplementary Planning Document (SPD) held at the Ryefield Centre on 2nd July 2008.

The following is a summary of the comments made during the above presentation from those attending.

- Objections raised to the development of the Model Farm site for employment use now included in the Herefordshire UDP.
- The Overross site was recommended by the UDP Inquiry Inspector and should have been included in the Plan instead of Model Farm.
- If this consultation process for the SPD is to be truly consultative then views given should be listened to and acted upon.
- What assurances can be given that views will be acted upon.
- What is the timetable for the development, is the development linked to the new housing that is required
- How can planners control what the live/work development looks like
- Are there other, better sites in Ross that could be used for live/work developments.
- Are there going to be all young people in these units.
- How many units will be live/work
- If the development fails, what control would there be in respect of this site going to housing
- How can large warehouse units be prevented
- How will development of the site be phased
- What will be the mix of employment uses
- What is the purpose of the buffer land adjoining
- What should it consist of
- A landscaping buffer is required along the eastern side
- How will any become affordable
- Will the live/work units be for start up businesses
- How can local people help on the way forward.

Appendix 4 - Representations Received and Responses

Comment Ref	Issue	Comment	Council Response
Residents Comments			
1	2.1 Development Objectives	Change from 'innovative design' to 'innovative design and in keeping with the local area as far as is possible' 11 residents	Agreed - Amendment to read 'innovative in design respecting the character and appearance of locality.'
2	2.2 Land Use	Remove B8 – will detract from high quality/knowledge-based. Ample B8 units available in Ross 12 residents	UDP Policy E3 has set the principle for employment of B1, B2, B8 uses. Whilst it is not possible to delete B8 as a proposal it is in the overall interests of the whole development, particularly the live work element not to be adversely affected by large scale warehousing operations. Appropriate amendment to final para of 2.2 Ample B8 units is Ross - noted.
3		Include surrounding access roads on the A40 in road layout design – ensure no detriment to users of estate roads and fire/ambulance 11 residents	The outline planning permission has determined access from the A40 - no change.
4		Landscaping should not just include long distance views but also views from local perspectives 11 residents	Agreed - Amend bullet point to include 'local'.
5		Provision of a buffer should read 'provide a well maintained buffer Zone of local amenities between the existing residential properties to the west and the site' 11 residents	It is not possible to determine at this stage the form and nature of any use on the buffer land suffice it is to say that it should be undeveloped land appropriately landscaped and managed to protect amenity. Amend bullet point to include this requirement.
6		A contribution should be made to 'ensure the 30mph speed limit along A40 is extended well past the site in Gloucester direction and measures put in place to ensure these are strictly observed/enforced' 12 residents	Any extension of the speed limit is a matter of separate consideration as a traffic management measure. No change.
7		Last paragraph of this section should read 'the development will be a mix of small start-up businesses and employment uses as there should be no B8 units on the site' 11 residents	See response to Ref 2.

Comment Ref	Issue	Comment	Council Response
8	2.3 Building Form Layout	BREEAM standards should me minimum of Very Good but preferably Excellent 10 residents	A BREEAM assessment is the most widely recognised measure of environmental performance of buildings. A BREEAM rating is fast becoming an industry standard for all good quality developments. The Council would expect high ratings to be achieved as part of it's requirement for sustainable development. No further change.
9		Residents question why carbon footprint reduction figure set at only 10% and not higher 11 residents	Agreed. It is not necessary to set a figure. Delete only 10%.
10	2.4 Access and Movement	Access to the buffer zone from the residential area should be pedestrian only and not part of the cycle route to the development 11 residents	A pedestrian / cycle way link between the employment site and the town centre is a UDP requirement. Such a link does not need to include or travel through the residential area. No change.
11	2.6 Green Buffer Zone	Imperative that Buffer Area remains as such. Pedestrian access should be from Parsons Croft to the buffer area 1 resident	There is no requirement for the brief to indicate any new pedestrian access from the residential area into the buffer zone. No change.
12		Reference to minimum amenities should (but not be limited to) be made ie: - Divided communal allotments with running water, with priority given to Hildersley residents for occupation 12 residents, - A green for sports use 11 residents, - Childrens' play area 13 residents, - Wooded area with pathways and small clearings with benches and tables for picnics etc 12 residents, - Wildlife haven with wild flower meadow, pathways with fenced pond 12 residents, - How will it be maintained? 12 residents, - Buffer requires excellent screening from road by hedgerows and trees 11 residents, - Buffer must have access from Model farm site to deter people accessing from Parsons Green 1 resident.	Comments noted. See response to Ref 5.

Comment Ref	Issue	Comment	Council Response
13	2.7 Landscaping, Boundary Treatments and Nature Conservation	Landscaping between buffer and site should be carried out first to ensure residents at Hildersley do not suffer adverse noise and other pollution from site development 10 residents , - Landscaping for each phase should be completed within 3 months of each development so that site is not left unsightly and putting off prospective investors 11 residents	Any agreed landscaping scheme submitted as part of any detailed planning application will be conditioned as part of the permission to indicate its timing, completion and maintenance arrangements. No change is necessary.
14	2.11 Planning Application Requirements	Add reference to ensuring all information, meetings etc is passed to the relevant resident and community groups and in such a manner that there is ample time to attend and make comment upon the information and in such manner that they all receive the information personally 11 residents	The brief makes clear that applicants considering detailed proposals should inform the local community / arrange public meeting and submit with the planning application how local comments have been considered within the application. Additionally it has been indicated that the Council are keen to work with local residents in forwarding its proposals. No further change is necessary.
15	3.1 Live / Work Concept	The businesses should be restricted to strict working daytime hours only to prevent noise during evenings so residents not disturbed. Lighting should be sufficient but not so excessive as to light up the residential areas 12 residents	The principle of this land being future employment land has been established through the UDP. It is not therefore appropriate to determine working hours. Any issues around noise would need to be assessed in this context, respecting residents amenity. External lighting should be necessary but not excessive, minimise light spillage into adjoining areas and the sky and respond to the setting of the locality. Amendment proposed.
16	4.2 Design Principles	Include a reference about management of employment site and buffer zone/amenities ie <i>that it should be first class and in place at the end of each phase, to ensure the site</i> 11 residents	Whilst management of the employment site is not a planning matter, the brief makes clear that a high quality development is required. In respect of the buffer zone, amendments are proposed (see response to Ref 5). Amend bullet point.

Comment Ref	Issue	Comment	Council Response
Ross Chamber of Commerce Comments			
17	2.3 Building Form Layout	Chamber supports entire SPD. In particular, however, it believes that careful adherence to the principles set out in 2.3 is essential to the Ross economy.	Noted.
Ross District Civic Society			
18	2.4 Access and Movement	Public Transport: bus numbers have decreased.	Noted.
19		Pedestrian and Cycle Link: some concern over safety for crossing the A40 en route to / from town centre.	Noted. The crossing of the A40 will require particular design consideration to ensure user safety.
Ross Area Partnership			
20	Entire SPD	The partnership wholly supports the Model Farm plans. It has a particular, and vested, interest in the live/work element having funded much of the required background consultancy as well as almost \$50k in survey work!! It states that the broad vision stated for the site must not be compromised.	Noted.
Environment Agency			
21	2.8 Flood Risk Assessment	We note that the SPD refers to the outline planning application (DCCE2007/3140/O) including Flood Risk Assessment (FRA) which we considered acceptable in principle. We support the inclusion of section 2.8 and the need for a FRA, given the scale and nature of the development within flood zone 1 based on our indicative Flood Zone Map, in accordance with PPS25.	Noted.
22	2.9 Drainage and Aquifer	With regard to section 2.9 we acknowledge the reference to the aquifer and Source Protection Zone (SPZ) as well as drainage proposal 'to ensure that they do not detrimentally impact upon the SPZ...'	Noted.

Comment Ref	Issue	Comment	Council Response
23	2.11 Planning Application Requirements	We note that section 2.11 identifies the need for pollution protection measures but we would recommend that a reference is made in section 2.9 to the need for 'pollution protection measures which would include measures such as appropriate storage of polluting substances, and managing physical disturbance during foundation construction' as these relate to the protection of the aquifer.	Agreed. Amendment as recommended.
24	2.11 Planning Application Requirements	A reference should also be provided to our website link below, to the draft (soon to be published in its final form) Groundwater Protection: Policy & Practice (GP3) as this would be useful for any future developer to refer to and be aware of, in relation to groundwater protection measures and pollution prevention measures. http://www.environment-agency.gov.uk/subjects/waterres/groundwater/1463256/	Agreed. Amendment as suggested..
25	4.2 Design Principles	With regard to section 4.2 (design principles) we would recommend that a bullet point is added to state 'Use water efficiency techniques' and a further reference to 'incorporate pollution prevention measures' should be added.	Agreed. Amendment as recommended.
Natural England			
26	Entire SPD	Natural England fully endorses the evident focus throughout the draft SPD upon sustainable development. We feel that the draft SPD provides clear guidance to potential applicants as to the high environmental standards which would be expected from the site's development.	Noted.
27		Natural England approves of the approach to biodiversity, landscape and open space set out in the draft SPD.	Noted.

Comment Ref	Issue	Comment	Council Response
28	1.4 Sustainability Analysis	Measures should also be taken to restore and enhance the site's biodiversity value, in line with key principle ii of PPS9. The SPD should make the requirement for biodiversity enhancement clear.	Agreed. Amendment proposed.
29	1.5 Planning Policy Context	The Planning Policy Context given in paragraph 1.5 lists PPS9 as relevant to the future development of Model Farm. However, the summary of relevant PPS which follows does not include PPS9. As the SPD will act as guidance for applicants wishing to develop the site, a summary of PPS9 should be included along with the others given.	Agreed. Include summary.
30	2.3 Building Form and Layout	Natural England fully supports the requirement for future proposals on the site to be accompanied by a BREEAM assessment showing how the carbon footprint of the proposed development has been reduced by 10%.	Noted.
31		In addition to the passive demand reduction measures discussed in the draft SPD we would welcome the inclusion of appropriate renewable energy generation to supply the development.	Agreed. Amendment proposed.
32	2.4 Access and Movement	We also fully endorse the aspiration to reduce the dominance of the car within the commercial elements of the site, and the requirement for provision of pedestrian and cycle links to Ross town centre so as to enable green travel choices to be made. The opportunities afforded by the disused railway line which transects the northern boundary of the site travelling east-west should be given full consideration in the provision of pedestrian and cycle access.	Agreed. Include opportunity of disused railway line.

Comment Ref	Issue	Comment	Council Response
33	2.6 Green Buffer	Incorporating biodiversity enhancement into the design of the existing buffer area would be a means of achieving positive biodiversity gain and would also enrich the experience of people using the area. The SPD should act as the driver to achieve this. The future management of existing and new assets for the benefit of biodiversity will also need to be secured, and should be made clear in the SPD.	Agreed. Amendment proposed.
34	2.7 Landscaping, Boundary Treatments and Nature Conservation	The SPD highlights UDP Policy E3 which sets out the need for a comprehensive landscaping scheme to form a key element of any proposal. Natural England supports this recommendation.	Noted.
35		Landscaping undertaken should also contribute to positive biodiversity gain, for example by planting native species of local provenance or by improving hedgerows.	Agreed. Amendment proposed.
36	2.9 Drainage and Aquifer	To further enhance the site's sustainability, consideration should be given to requiring permeable paving solutions which, if linked up to an appropriate SuDS scheme, could help to protect the Alton Aquifer.	Agreed. Amendment proposed.
37	3.0 Live / Work Concept	We support the draft SPD's promotion of the live/work concept and would welcome applications which include this.	Noted.

If you need help to understand this document, or would like it in another format or language, please call the Forward Planning Team on 01432 260500 or send an email to: ldf@herefordshire.gov.uk



HEREFORDSHIRE
COUNCIL

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Shaping our Place 2026

Model Farm

Supplementary Planning Document

September 2008

Prepared on behalf of Ross Area Partnership
& Herefordshire Council
by
Hunter Page Planning

Local Development Framework

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1. Introduction

1.1 Background

This development brief outlines the approach that should be taken to the development of Model Farm, Ross-on-Wye for employment purposes. Model Farm has been allocated for employment use in the Herefordshire Unitary Development Plan (adopted 23rd March 2007).

The brief sets out a clear objective for the development of the site, including the incorporation of a number of employment uses and associated development. This brief has been prepared by Hunter Page Planning on behalf of Herefordshire Council. Any enquiries relating to the brief should be directed to:

Mr C. Botwright
Forward Planning Team
Herefordshire Council
PO Box 4
Plough Lane
Hereford
HR4 0XH

Telephone: 01432 260133
Email: cmjbotwright@herefordshire.gov.uk

1.2 Status of the Brief

This document is to be formally adopted by Herefordshire Council as a Supplementary Planning Document (SPD) to assist in the delivery of the designated employment allocation set out in Policy E3 of the Herefordshire Unitary Development Plan (UDP) at Model Farm, Ross-on-Wye. Once adopted, the brief will form a material consideration in the determination of any future planning application on the site.

In accordance with the Council's adopted Statement of Community Involvement and Town and Country Planning (Local Development) (England) Regulations 2004 the arrangements for consultation have been complied with in the preparation of the brief. The Consultation Statement details the consultation carried out on the SPD to date and how the results have been taken into account in the preparation of the final SPD. Furthermore, a Sustainability Appraisal has been undertaken in accordance with the Herefordshire UDP approach and that set out in *Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents* (November 2005, DCLG). It demonstrates how social, economic and environmental constraints and opportunities can be considered and utilised, consistent with the delivery of sustainable development.

Purpose of the Brief

The principal aim of the brief is to set out Herefordshire Council's clear vision for the development and delivery of the site to meet the needs of Ross-on-Wye. It will guide the

sustainable development of Model Farm and also help prospective developers achieve a high quality development, maximising the site's contribution to the development of the local economy. In doing so, this brief will need to:

- Provide guidance on the existing planning policy framework which will influence the delivery of any future planning application.
- Identify the development requirements and constraints of the site.
- Provide guidance on the delivery of high quality design and landscaping principles for the site.
- Provide guidance on the delivery of access and movement to, from and within the site.
- Ensure that the development can become fully integrated with the surrounding area.

1.3 Site Context and Surrounding Area

The site is located in the Hildersley area of Ross-on-Wye, with the town centre located approximately 1 mile to the west of the site. Ross-on-Wye is the principal service centre serving the large surrounding rural hinterland in South Herefordshire. Whilst adjacent to the built form of the settlement, Model Farm is located within the settlement boundary of Ross-on-Wye, as identified on the UDP proposals map.

The site consists of a farmyard, including a farm house and a number of agricultural buildings of varying architectural merit, along with the surrounding agricultural land. The A40(T) forms the southern boundary. The north, west and eastern boundaries are not clearly delineated and lie across open fields. The established residential development to the west is separated from the site by a green buffer zone. The northern and eastern boundary of the site is flanked by open countryside.

An existing employment site, Hildersley Farm Industrial Estate, is located on the opposite side of the A40, to the south of the site.

The site is widely visible from the surrounding area, although is not distinct in appearance. The topography of the site undulates, although not significantly. From the A40, the land slopes gently down to the existing farm yard and then elevates slightly to the north towards Highfield Farm. There are a number of existing hedgerows, mature and semi mature trees located across the site. A small pond is located to the south east of the farm yard. In addition, the site is within the source protection zone of the Alton Court aquifer.

There are no public rights of way across the site, although access to Highfield Farm is achieved via a track through Model Farm.

In the wider context, Gloucester and Hereford are both located approximately 12 miles from the site, which also benefits from good access to the M50 motorway and surrounding transport network. The site is located on the A40(T) Hereford to Gloucester trunk road, near to the Ross-on-Wye bypass which connects onto the M50 which in turn links to the M5, the A49 to Hereford and on to Shrewsbury, and the A449 to South Wales.

1.4 Sustainability Analysis

A Sustainability Appraisal has been undertaken for the site and is available separately to this development brief. However, a brief summary of the key sustainability considerations is provided here.

Public transport opportunities exist in proximity to the site and potentially can be enhanced further. There is limited existing pedestrian access to the site and this must be enhanced, along with the implementation of cycle links, to and from the site to the town centre.

The employment based development of the site provides an opportunity to enhance the sustainability of Ross-on-Wye as a whole, minimising the need for residents to commute to other sources of employment and delivering economic development objectives for the town and surrounding area.

Furthermore, any future proposal will include measures for the delivery of a low carbon development where possible. Including the retention of existing buildings where appropriate, maximising solar gain and utilising renewable energy sources.

There are a number of natural features on the site which are considered to be of environmental value, including the Alton Court Aquifer, mature hedgerows and a series of water features. Measures should be taken to protect the environmental assets on the site in conjunction with any development. **This should include restoration and enhancement of the sites biodiversity value with appropriate management of existing and new assets.**

1.5 Planning Policy Context

This development brief has been prepared within the existing planning policy framework at national, regional and local level. At a national level, the government guidance is provided through a series of Planning Policy Guidance Notes (PPG) and Statements (PPS). A number of PPG's and PPS's are relevant to the future development of Model Farm, which are as follows:

- PPS1 –Delivering Sustainable Development (adopted January 2005)
- PPG4 – Industrial and Commercial Development and Small Firms (November 1992)
- Emerging PPS4 (Consultation Paper) – Planning for Sustainable Economic Development (December 2007)
- PPS9 – Biodiversity and Geological Conservation (adopted August 2005)
- PPG13 – Transport (adopted March 2001)

PPS1: Delivering Sustainable Development (January 2005)

PPS1 promotes the delivery of sustainable development by emphasising the need to ensure high quality development through good and inclusive design. At the same time

PPS1 seeks to ensure that new development should generally enhance existing communities and improve access to jobs.

Future proposals will be required to demonstrate consistency with the information contained within PPS1.

PPG4: Industrial and Commercial Development and Small Firms (November 1992)

PPG4 provides guidance on the location of new industrial and commercial developments. The locational demands of business and commerce are key considerations in the preparation of development plans, including access to the workforce catchments, the market, other business and other transport considerations.

Consultation Paper on a New PPS 4: Planning for sustainable Economic Development (December 2007)

The emerging PPS4 sets out the forthcoming guidance on the delivery of new economic development. Once adopted it will replace the existing PPG4 and will form a material consideration in the determination of planning applications relating to the delivery of new commercial development. The document provides guidance on the location of new economic development in light of recent advances in technology, the global economy and spatial planning trends.

PPS9: Biodiversity and Geological Conservation

PPS9 confirms the Government's vision for conserving and enhancing biological diversity. It includes the broad aim that planning, construction, development and regeneration should have minimal impacts on biodiversity and enhance it wherever possible. It sets out the most important sites of biodiversity and geological conservation value and key principles to ensure the potential impacts are fully considered.

PPG13: Transport

PPG13 sets out policies for the integration of planning and transport. Within it, the emphasis is placed upon reducing the need to travel, especially by the private motor car. The site location enables access to be achieved by modes of transport other than the car and any proposed development will be expected to make provision for green cycle and pedestrian links between the site and the town centre.

Any future planning application will be required to demonstrate the contribution the proposal will make to the utilisation of sustainable forms of transport.

Regional Spatial Strategy for the West Midlands (June 2004)

The Regional Spatial Strategy for the West Midlands provides the region specific planning guidance for the area, including Herefordshire. Ross-on-Wye is located within the Rural Regeneration Zone (RRZ).

Future proposals for Model Farm must demonstrate consistency with the relevant development objectives set out in the RSS.

Herefordshire Unitary Development Plan (adopted 23rd March 2007)

The adopted Herefordshire UDP provides the local planning framework which guides development within the County during the plan period (2001 – 2011). Ross-on-Wye is designated as one of 5 market towns suitable for additional growth required to meet the County's strategic and local development objectives. The UDP allocates Model Farm for employment use in Policy E3.

Policy E3 refers to Model Farm, and states:

'The need for additional employment land at Ross-on-Wye was initially considered and discounted during the preparation of the South Herefordshire District Local Plan. The Inspector recommended that the need for additional land be reviewed through Plan formulation. Accordingly, a study has been undertaken as part of the process of preparing the UDP. This compares employment land supply with the land and premises requirements of indigenous firms, inward investment and start ups, and concludes that a site of 10 to 13 hectares capable of accommodating a range of requirements for Part B uses will be required within the Plan period.'

A 10 hectare site to the south east of Ross-on-Wye has been identified at Model Farm to meet the need of employment land. The site is located at an important entrance to the town and consists of a farm and surrounding agricultural fields with a field buffer to the nearby residential area. The site is bounded by the A40 to the south, agricultural fields to the east and north and residential properties to the west. A high quality development for B1, B2 and B8 uses will be accommodated on the site. The site is located on the source protection zone of the Alton Court aquifer and the Environment Agency will need to be satisfied that any future development include suitable pollution prevention measures in order to protect ground and surface waters. A pond is located on the site which will need to be carefully integrated within a scheme. Access to the site will be directly onto the A40. The developer of this site (together with that of the proposed housing at Tanyard Lane) will be required to make a contribution to the design and geometry of the Overross roundabout to achieve a nil detriment in traffic terms together with the creation of suitable pedestrian and cycle connections to encourage 'green traffic' movements between the site and the town centre. Further negotiations relating to these requirements will need to be undertaken between the Highway Agency and the Council. The land is open to long distance views, particularly from the east. A comprehensive landscaping scheme will form a key element of any proposal and will need to address this issue as well as include a landscape buffer between the site and residential properties to the west. The open land concerned is designated as subject to policy HBA9. A development will be prepared to guide development.'

In addition, the UDP sets out a number of further policies which should be taken into account in the determination of planning applications and these will guide any future development of the site. These policies have been given due consideration throughout this development brief and are listed in Appendix 1.

2. Development Requirements

2.1 Development Objectives

The principal development objective identified for the site is the creation of a pathfinder employment development, assisting in the growth of the local economy and providing diversified sources of employment away from traditional industries. There will be a preference for the development of innovative knowledge based businesses which will act as a catalyst for future employment and economic growth within the area. The Ross-on-Wye economy is currently dominated by a number of large storage, distribution and general industrial uses. This brief will guide the development of Model Farm away from traditional employment provision, providing a catalyst for economic diversification within the town.

In order to achieve this objective, the proposal will include the delivery of a mix of employment uses including high quality commercial space, offices and an element of live/work development. The necessary support infrastructure will also be required to assist in the creation of a new business cluster, for example the provision of a business hub to promote integration and support for companies.

In addition to the delivery of a pathfinder employment development within rural market towns, any future proposal will deliver a scheme which:

- Is a highly sustainable low carbon development
- Innovative in design **respecting the character and appearance of the locality**
- Promotes vibrant community development
- Is affordable
- Promotes the development of a modern enterprise cluster within the area

2.2 Land Use

Paragraphs 6.4.22 and 6.4.23 of the UDP provide an outline of the principal development requirements for Model Farm, which include:

- Provide a high quality development for B1, B2 and B8 uses on the site
- Include suitable pollution prevention measures for ground and surface water within the source protection zone for the Alton Court aquifer, which satisfy the Environment Agency
- Integrate the existing pond into a future development scheme.
- Provide access from the A40
- Make a contribution (along with the developer of the proposed housing at Tanyard Lane) to the design and geometry of the Overross roundabout to achieve at least a nil detriment in traffic terms together with a suitable pedestrian and cycle connections to encourage 'green traffic' movements between the site and the town centre.
- Provide a comprehensive landscaping scheme to ensure that ~~the local~~ long distance views of the site are not detrimentally affected.

- Provide a buffer between the existing residential properties to the west and the site **appropriately landscaped and managed to protect amenity.**

Land uses proposed should be informed by the existing and future employment requirements and economic climate within the area. Flexibility should be applied to the employment use proposed on the site in order to respond to the changing economic demands of the area in order to benefit the overall development of the local economy and employment opportunities within Ross-on-Wye.

A mix of small start up business and employment uses will be preferred to the dominance of larger B8 uses such as has previously taken place on other employment sites particularly at Overross, due to its attractive location for distribution along the motorway network. **This will ensure that the whole development integrates well together and particularly the live / work element.**

2.3 Building Form and Layout

A comprehensive design approach will be taken to the site as a whole to ensure full integration of all components of the scheme, including the different business uses proposed. Consideration of the site in its entirety will enable the design and layout of the scheme to develop in a cohesive manner and create a sense of identity.

A key consideration of sustainable design, in accordance with the delivery of sustainable development, is the concept of local distinctiveness. The relationship between landscape, the pattern of land uses and activities, morphology, local building materials and styles which define the character of the local area and a sense of place are central to the design of any future proposal. The development proposal should serve to reinforce local distinctiveness, having regard to the setting and its key characteristics. However, a responsive modern approach to enhancing the local character will be promoted.

Future proposals will be accompanied by a BREEAM assessment of new buildings and initiatives to reduce the carbon footprint of the proposed development **by 10%**, in accordance with the delivery of sustainable development. The completion of a BREEAM assessment will aid in improving the environmental performance of buildings. Passive design measures, (e.g. building orientation to maximize natural light) are strongly encouraged in order to increase and promote sustainable development not only on this site, but also countywide.

In addition to the passive reduction measures referred to above, the inclusion of appropriate renewable energy generation should also be considered.

External lighting should be necessary but not excessive, minimise light spillage into adjoining areas and the sky and respond to the setting of the locality.

With regard to the layout of the proposal and the incorporation of a number of employment uses on the site, the amenity of neighbouring residents should be considered.

UDP policy DR2 sets out the guidance for consideration in the delivery of varying land uses and activity.

2.4 Access and Movement

Vehicular access will be directly from the A40(T) only. The point of access should be in accordance with the details submitted as part of planning application ref: DCSE2007/3140/O. The access will be provided to the standards and requirements of the Highways Agency. Access will also need to be maintained to Highfield Farm to the north, which is currently achieved via Model Farm.

Consideration will also need to be given to the movement of commercial and domestic vehicles within the site.

A pedestrian and cycle link will be required between the site and Ross town centre. This will also enable access to the buffer area identified between the existing residential area to the west and Model Farm. **The opportunities afforded by the disused railway line to the north should be given full consideration in providing such a link.** Access to public transport should also be a consideration in any future development proposal. Access to and from the site by modes of transport other than the car should be a genuine option for future users. Specific regard should be given to UDP Policy DR3 which sets out the local planning policy for movement within new developments. Specific guidance on the provision for cycling within new developments is also included in Policy T7 and should be considered accordingly.

A significant amount of car parking will be required, given the size of the site and its commercial use. However, any future proposal should aim to try and reduce the dominance of the car within the commercial elements of the site. Car parking courts should not be visually dominant. Shared surfaces should be utilized within any live/work development to further reduce the dominance of the car. Future proposals should also promote access and movement by non car modes and make provision for cycle parking. Consideration should be given to the provision of parking for commercial vehicles such as delivery lorries. Proposals for additional parking should be in accordance with the guidance set out in UDP Policy T11 and PPG13.

Planning applications will need to be accompanied by a comprehensive transport assessment, which demonstrates the ability of the existing infrastructure to absorb the proposal and how alternative modes of transport will be promoted for future users and residents. Regard will be had for the information contained within PPG13, the Local Transport Plan and circular 04/2001 in the completion of a Transport Assessment.

Applicants are advised to have regard to the specific access requirements of people, including those with disabilities. A comprehensive design and access statement will be required with any planning application. This will need to set out how the requirements of people with disabilities have been taken into account in the design of the proposal. Consideration should be given to the advice contained within UDP Policy T16 which refers to the provision of access to all in new developments.

2.5 Archaeology

Prior to submission of any planning application, investigatory work will be required to determine the presence of any archaeology on the site. Suitable mitigating works will be required to preserve archaeology in situ or its removal in accordance with the preparation of a working brief to be approved by Herefordshire Council.

2.6 Green Buffer

The green buffer to the west of the site is protected through UDP Policy HBA9. This buffer should provide an area of open space between the two land uses, which not only protects the amenity of the neighbouring residents but is also a facility of benefit to the local area.

Proposals should incorporate the area of open space into any scheme and make provision for its use for community benefit. The area will be protected from any future development, maintaining an open space between the two adjoining land uses. **Incorporating biodiversity enhancement into the design of the buffer area would be a means of achieving positive biodiversity gain and would also enrich the experience of people using the area.**

2.7 Landscaping/Boundary treatments and Nature Conservation

A number of mature hedgerows have been identified as important in an initial ecology survey undertaken on the site (available separately); it is recommended that these are incorporated and preserved within any proposal. There are also a number of semi-mature trees across the site. Whilst it is recognized that not all existing vegetation is of significant ecological or arboricultural merit or practical to retain as part of a comprehensive development, it is considered that the retention of vegetation identified as being of value is retained. It is recommended that an arboricultural assessment is undertaken prior to the submission of any planning application and any trees or vegetation of value are identified and incorporated within the proposal.

In terms of the proposed landscaping, the design of the site should address the existing biodiversity requirements of wildlife found on the site. Ecology surveys have been undertaken and their findings should be attended to. This requirement will influence the proposed layout of the scheme, in terms of the need to retain identified areas of vegetation and existing ponds, as identified in Policy E3.

The site is widely visible within the wider landscape; therefore a combination of soft and hard landscaping should be utilized to minimize the impact of the development. A comprehensive landscaping scheme and design will be required to ensure that the development does not unacceptably impact on appearance of the wider area and should include a range of tree planting and landscape enhancements. **Landscaping undertaken should also contribute to positive biodiversity gain, for example by planting native species of local provenance or by improving hedgerows.**

Suitable mitigation for the species identified on the site will be required with any planning application.

2.8 Flood Risk Assessment

Although the site is not within Flood Risk Zone 2 or 3, a Flood Risk Assessment (FRA) is required, as per the requirements of PPS25. Early consultation with the Environment Agency is recommended as they will be a statutory consultee in regards to any planning application on the site.

Detailed proposals will be in accordance with the information set out in the FRA submitted as part of planning application ref: DCSE2007/3140/O and provide details of the drainage arrangements for the scheme.

2.9 Drainage and Aquifer

Any proposal will need to ensure that suitable pollution prevention measures are incorporated in order to protect ground and surface waters. The Environment Agency will need to be consulted regarding the proposed measures and be satisfied that they are suitable and appropriate, in accordance with UDP Policy E3.

Drainage proposals **which should give consideration to permeable paving solutions and sustainable urban drainage systems (SUDS)** will be required to ensure that they do not detrimentally impact on source protection zone of the Alton Court Aquifer. The Environment Agency should be satisfied with the proposed drainage scheme. **Pollution protection measures should include appropriate storage of polluting substances and managing physical disturbance during foundation construction.**

2.10 Planning Obligations

Herefordshire Council's Planning Obligations SPD, available as a separate document, will inform planning obligations expected from the development of the site. This provides advice and guidance to developers and applicants on the use of planning obligations and how UDP policy DR5 is implemented.

Planning obligations will as a minimum be required to secure any necessary highway improvements, including a nil detriment effect at the Overross roundabout, the delivery of the identified live/work hub and to secure the promotion of sustainable modes of access to the site.

Draft Heads of Terms for any section 106 and section 278 Agreements will be expected to form part of any planning application and should incorporate a commitment to completing within the defined timescales.

2.11 Planning Application Requirements

Developers are encouraged to hold early pre-application discussions with the Council. The developer will be responsible for obtaining all necessary planning permissions, Building Regulation Approvals and any other relevant consent.

Planning applications should include the following information, as detailed within this development brief:

- Transport assessment and travel plan
- Arboricultural assessment
- Ecology surveys and proposals
- Design and access statement
- Landscaping scheme
- Statement of community involvement and consultation
- Pollution protection measures for the Alton Court Aquifer
- Sustainability appraisal
- Flood Risk Assessment
- Contaminated Land Assessment

The statement of community involvement and consultation is part of the requirement to undertake community involvement in the production of a detailed proposal, consistent with the delivery of sustainable development and the guidance within PPS1. Accordingly, applicants will need to:

- Inform local community groups and residents of the proposal
- Arrange a public meeting or exhibition, presenting the proposals to the local community at an accessible venue. An opportunity for members of the public to provide their response to proposals should also be provided.
- The findings and considerations raised through the public consultation process should be detailed in a Statement of Community Involvement to be submitted with the planning application.

Applications should be accompanied by coloured plans and illustrative material that is easily understood for the benefit of planners, councillors, residents and other statutory consultees.

Regard must be given to Herefordshire Council's adopted Statement of Community Involvement (SCI), available online at www.herefordshire.gov.uk.

In respect of groundwater protection and pollution prevention measures, developers should refer to the Environment Agency website www.environment-agency.gov.uk.

3. Live/work Concept

3.1 Inclusion of Live/work

Improvements in the cost and accessibility of advanced telecommunications, changes in work/life balance, removal of the need to commute and the opportunity to combine work space and the home under one roof are among some of the reasons driving the growth in the live/work sector in both rural and urban areas. The footloose nature of many home based businesses enables rural areas to become attractive locations.

Furthermore, a growth in the live/work employment sector provides a significant opportunity for the diversification and growth of rural economies, previously dependant on agricultural and traditional economies. Planning guidance on live/work is contained in the draft PPS4, informed by the Planning White Paper (2007) and the Barker Review of Employment Land use suggests new forms of economic development including live/work

units. The Model Farm site is an appropriate one to deliver these emerging policy objectives.

The inclusion of an element of live/work development on Model Farm could contribute to the creation of a critical mass for home-based businesses contributing to the local economy. Furthermore, the provision of a sufficient number of units in the cluster would ensure that they can support a hub facility which in turn will provide business services for the units. Further information regarding the Live Work concept, benefits and in the context of Ross on Wye can be found in appendix 4.

4. Design

4.1 Design and Access Statement

Inline with the Planning and Compulsory Purchase Act 2004, a design and access statement is required with any planning application. The design principles will need to be set out in detail and it should be established how the design principles have arisen within the wider context of the surrounding area. It should not be just a descriptive analysis of the proposal.

UDP Policy DR1 sets out the requirements for design and more detailed guidance is provided in the Council's Design and Development Requirements Supplementary Planning guidance (July 2004).

4.2 Design Principles

In summary, the following principles will need to be addressed within any development proposal:

- Create a high quality commercial development to include high quality employment uses and associated infrastructure.
- Produce low carbon building through sustainable construction methods and high eco-ratings, following the completion of a BREEAM assessment.
- Address energy efficiency of buildings and introduce renewable energy sources where possible and viable.
- Retain existing buildings where appropriate.
- Provide a design which reflects the character of the local area and the setting of the site.
- Provide for a range of users, including the provision of affordable units for both new and established businesses.
- Respond to the site constraints identified
- Respond to the design advice regarding the building form and layout of the proposal.
- Incorporate appropriate **and well maintained** landscaping proposals to ensure the character of the area is maintained and minimize the potential impact on the surrounding landscape.
- Mitigate any adverse effects on biodiversity and retain existing areas of particular biodiversity merit, as identified in the accompanying ecology surveys.

- Ensure that the mix of uses is appropriate in respect of any impacts that they may have on adjacent users and ensure that the amenity of neighbouring residents is preserved.
- Promote **safe** access to and from the site by modes of transport other than the car.
- **Enhance Improve safe** walking and cycling links to Ross-on-Wye town centre.
- Integrate the site with existing infrastructure.
- Design a permeable built environment, with due consideration given to ensuring that commercial and domestic traffic is mixed and segregated where appropriate.
- Promote shared surfaces and the reduce the dominance of the vehicular traffic
- Use sustainable drainage techniques where possible.
- **Incorporate pollution prevention measures.**
- Incorporate the principles of 'designing out crime'
- Design for waste minimization principles in regards to both the construction of the site, and the future use of the site, through the provision of recycling facilities and other appropriate waste management techniques.
- **Use water efficiency techniques.**
- Promote an inclusive environment through design, with users of all dispositions in mind.

5.0 Conclusion

The development of this site provides the opportunity to develop a modern, well designed and innovative employment development that will:

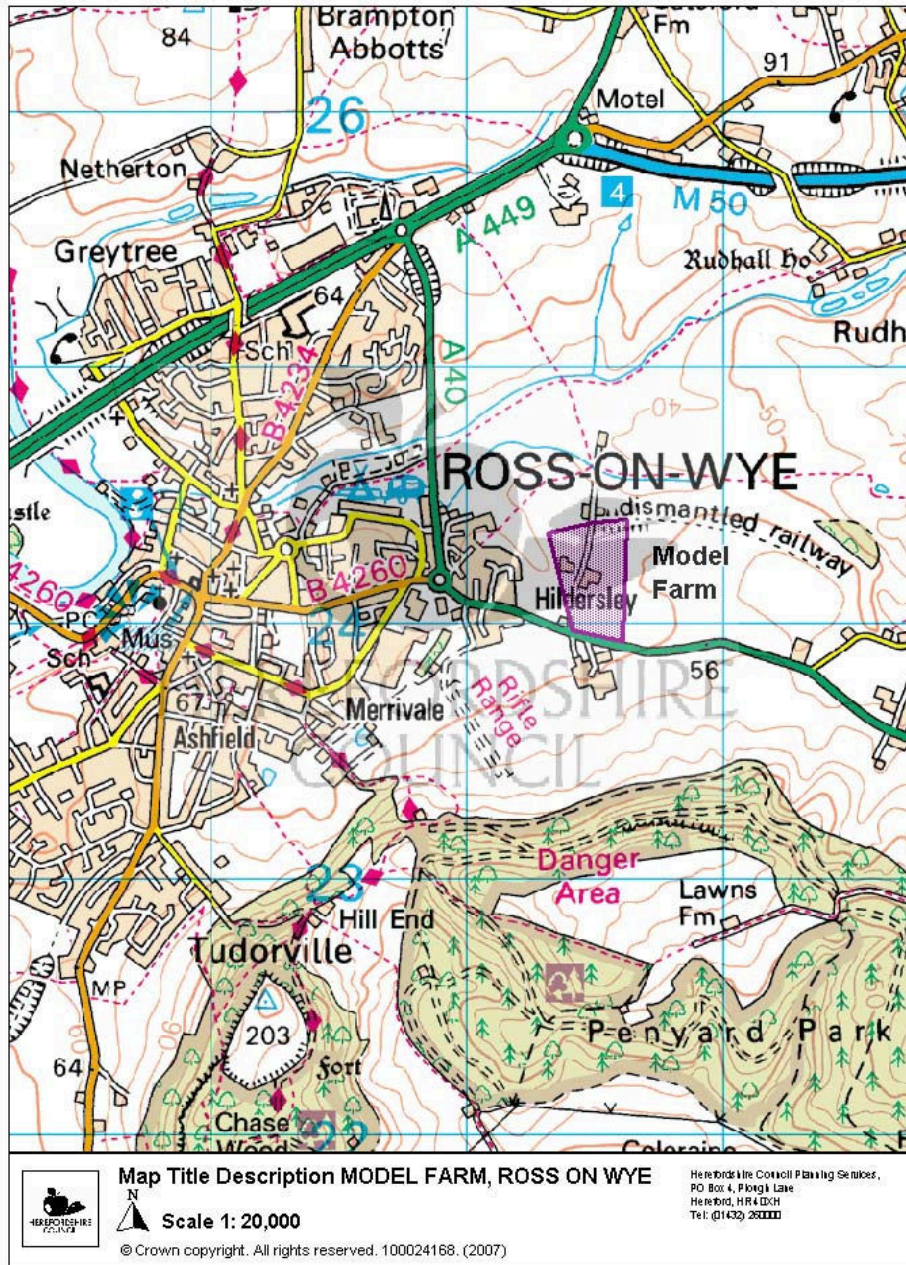
- Create a high quality employment development promoting innovative business uses
- Promote the development of an enterprise business cluster within the area
- Utilize sustainable construction methods
- Be affordable to a range of users
- Be integrated within the landscape through design and layout.

Appendix 1 - UDP Policies

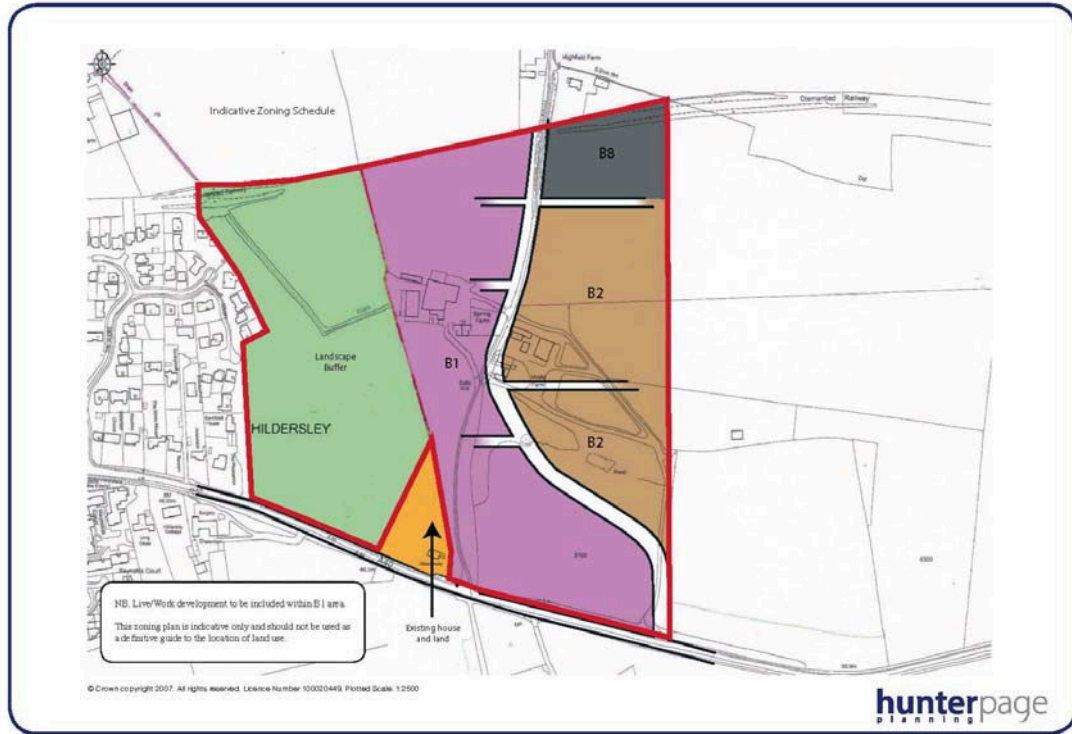
Relevant UDP Policies:

- S1 Sustainable Development
- S2 Development Requirements
- S4 Employment
- S6 Transport
- DR1 Design
- DR3 Movement
- DR4 Environment
- DR5 Planning Obligations
- DR6 Water Resources
- DR7 Flood Risk
- E3 Employment
- E8 Design Standards for Employment Sites
- T1 Public Transport Facilities
- HBA12 Re-use of rural buildings

Appendix 2 - Site Location Plan



Appendix 3 - Indicative Master Plan



Appendix 4 - Live/work Supplement

The potential benefits of live/work property at Ross-on-Wye

1. What is live/work?

Typically a live/work property is for those who need much more than a room in a house to run their business from home. This can either be because of the nature of the business (eg textile design, photography). Or because the business proprietor has staff and finds a normal home inappropriate for this.

The growth of live/work - purpose-built mixed-use property - is closely linked to the ongoing growth in home working in the UK, which has doubled in ten years. Over two million now work mainly from home and over 40% of all businesses are now home based, according to a 2006 DTI survey.

One of live/work's key sustainability benefits is its reduced use of natural resources:

- one property is constructed not two (owner would otherwise require a separate home and workspace)
- one property to power and heat not two – a significant reduction in waste of electricity, gas, water.

Live/work is often constructed on brownfield sites. And live/work units are ideal for businesses in sectors with low environmental impact.

This is not a wholly new idea. Living above your workshop, shop or office was a common way to use buildings before the industrial revolution.

2. Economic benefits of live/work

There are many different types of live/work property, each attempting to fulfil a different role. There is no one ideal model. The needs of rural and city centre schemes, for example, are very different – one to establish a thriving business environment where little exists, the other to cut the costs of premises for start up businesses seeking to be near centres of economic activity. However, if the purpose of a live/work scheme is to **boost enterprise** and well paid knowledge-based work, the factors below are important in all areas:

3. Building design that includes workspace

Schemes that are marketed as live/work but have no special design features to enable work, just a spare room, are least likely to sustain work use.

Those designed with functional work space – preferably separate from the living space – are the most likely to do this. In particular, units should enable work to continue if the owner is away. Staff should be able to work there without feeling they are in their manager's home. And owners should be able to visit clients or go on holidays knowing

that their accommodation is secure and their colleagues are continuing the business from the part of the unit designed for this.

The whole scheme's look is also important. If it looks businesslike (especially if it looks attractive and modern, with good signage and each unit having a 'shop front' for its workspace) it will encourage business.

A scheme needs to be well landscaped, ideally with shared communal space to enable resident live/workers to become familiar with neighbouring businesses. But the units must also appeal as comfortable living space, perhaps with its own aspect looking away from the work areas. The best live/work schemes combine both and have an inherent live/work 'feel'.

4. Creating a live/work business 'cluster'

Live/work developments often include a shared 'hub' building for residents (and non residents), to use equipment such copiers/scanners, to have meetings and to network with one another. Some hubs also have reception staff and even facilities such as video conferencing.

Having a hub at the heart of a live/work scheme makes it easier to create a successful business cluster - a dynamic enterprise community. The aim is to encourage businesses to collaborate and become stronger by working with one another, as well as using each other's services. A graphic designer may need IT support. An e-commerce operation may need a delivery or marketing company, and so on.

5. Flexibility for business growth

A mixed live/work unit should enable the equivalent of at least 1.5 jobs, ideally with space for 3, 4 or more. It should also have sufficient space for a business to take on more staff and (significantly in the live/work sector) the use of freelance/occasional subcontractors. Without this flexibility, a small business will find it hard to expand/contract to suit its needs. If there are larger units (or normal workspace-only units) nearby, that will also encourage businesses to stay and grow within the vicinity – further strengthening the cluster.

6. Work-life balance

If possible the units should keep working and living areas separate within the building. Open plan shared space can work for some, but it can also disrupt home life. This is not a problem for young start up businesses, but as these people become older, they may well need space that is separate from work. If possible, a separate floor or separate areas within the live/work unit (underneath or to the side) – each with a different feel – would achieve this.

In more open-plan units (which have the advantage of flexibility), split floor levels are particularly popular. But where families are involved, it is advisable to completely

separate live and work, but keep the workspace easily accessible to the family members that use it.

7. Affordability

By combining workspace and home costs in one building, a live/worker can make their money go further, enabling them to invest more in their business. They can also reduce the risk of their business failing.

By its very nature, live/work is more affordable than having to pay for a separate home and workspace. On larger schemes, it may also be possible to have a number of lower cost affordable live/work units offered as part of the mix. These can be available to rent or for shared ownership and can be prioritised for local people, managed by a housing association.

8. Saving time

With a live/work unit, there is no need to commute to work. This can save businesses a considerable amount of time, which in itself will allow more time to be spent on business and also on the family. The national average commute time is 45 minutes per day. Five days a week at this rate means wasting at least half a working day every week commuting - not to mention the time it takes to recover from the journey when you reach work or home.

Live/work units are a good way to make the most of that precious modern commodity - time.

9. Environmental benefits

Live/work helps promote sustainable development in many ways. Use of one property not two by businesses that would otherwise be considering separate premises will significantly reduce carbon used in the construction process and in fuel/power use afterwards:

- one property is constructed not two (owner would otherwise require a separate home and workspace)
- one property to power and heat not two – a significant reduction in waste of electricity, gas, water.

A live/work development can also help to sustain a modern 'daytime economy' - people working locally rather than commuting. This can boost spending on local services, for example post office facilities, pubs and restaurants etc. A more sustainable business base is possible with enhanced daytime buying power and recruiting power. Live/work can also result in increased security at night, with more properties occupied 24 hours, reducing fear of crime in town centres and other neighbourhoods.

Live/work is often constructed on brownfield sites. And live/work units are ideal for businesses in sectors with low environmental impact.

The other key sustainability benefit of live/work is its ability to cut commuting. With no need for owners to commute to work, there will be fewer journeys, reducing carbon emissions. This will be particularly relevant in comparison with the likely levels of in-commuting during rush hours, were the site to be restricted only to traditional employment use.

Part of the live/work scheme's aim should be to attract those who might otherwise commute to run their business from home in a more sustainable market town location. The green aspects of live/work can also make live/work attractive to potential live/workers.

Sustainability impact summarised: what can live/work deliver at Ross-on-Wye?

- a live/work **community** all on one site
- reduced reliance on **commuting**
- **sustainable use of property** - one building not two, less land and materials used, lower fuel emissions and energy use
- attraction of **higher value businesses** and associated spending power to the neighbourhood
- enhanced range and quality of employment **opportunities** locally, including for skilled graduates
- lower costs for those struggling to **afford** separate premises - workspace and home
- suitable premises for **higher value** micro-businesses, particularly in the creative, technology and knowledge sectors
- suitable premises for **workshop/studio** type businesses that require more space than normal residential property provides
- more powerful **broadband** connection for resident businesses and potentially other local residents, businesses and home-workers
- improved neighbourhood **security** through continual occupation.

Prepared by Live Work Network for Ross Area Partnership, July 2007

If you need help to understand this document, or would like it in another format or language, please call the Forward Planning Team on 01432 260500 or send an email to: ldf@herefordshire.gov.uk



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DCNC2008/1824/O - SITE FOR DEVELOPMENT TO FORM 21 APARTMENTS AT PINSLEY WORKS, PINSLEY ROAD, LEOMINSTER, HEREFORDSHIRE, HR6 8NX

For: Signature Homes & Construction Ltd per John Phipps Bank Lodge, Coldwells Road, Holmer, Hereford HR1 1LH

Date Received: 10th July 2008 Ward: Leominster South Grid Ref: 50077, 59099
Expiry Date: 9th October 2008

Local Member: Councillor R Hunt

Introduction

The application was considered by the Northern Area Planning Sub Committee at its meeting on 27th August 2008 when Members resolved to refuse permission contrary to the recommendation in the report. The decision was accordingly referred to the Head of Planning and Transportation to determine if it should be reported to the Planning Committee for further consideration.

The Report to the meeting on 27th August 2008 recommended that planning permission be granted having regard to the following considerations:

- A previous application had been refused solely for the reason of unacceptable impact on the amenities of the neighbouring properties and the character of the area. Subsequent negotiations had resulted in this revised proposal in which the unacceptable impact that had been previously identified was considered to have been overcome.
- As with the previous application the Transportation Manager (subject to a S106 contribution the terms of which were set out in the Heads of Terms) was satisfied that there would not be an adverse highway impact.
- Although the requirement for 35% affordable housing was not exactly met the practicalities of providing 6 rather than 7 units were considered appropriate.

In the debate Members raised a number of issues but principally their concern was with regard to the impact of the buildings on the area due to the design and density. In addition concerns were raised with regard to traffic and highway safety and the lack of affordable housing. Mention was made of the lack of a contribution towards Children's Services.

The Sub Committee resolved to refuse permission for the following reasons:

- Design/Density/Impact on the area
- Traffic and highway safety
- Lack of sufficient affordable housing.

The Committee were advised that there were entitled to take a view on these issues but they should have regard to their previous decision on which two of the suggested reasons had not been included and the professional advice of the Transportation Manager, who raised no

objection It was noted that the Transportation Manager had not objected to the previous application, also for 21 units, and traffic matters had not formed a reason for refusal. Accordingly the Head of Planning and Transportation has referred the application to this Committee for a decision.

1. Site Description and Proposal

- 1.1 The site is a long narrow plot that is located between the rear gardens of dwellings fronting onto Pinsley Road and the railway line, and to the north of Pinsley Mill which has recently been granted planning permission for conversion and extension to residential accommodation.
- 1.2 The site was previously used for commercial purposes and was occupied by a prefabricated industrial building. This has since been demolished and the site is now vacant.
- 1.3 The site is located within Leominster's residential area and also the Leominster River Meadows Conservation Area. Public footpath ZC137 runs along the site boundary, parallel with the railway line at a lower level to both the ground level of the remainder of the site and the railway line itself. Immediately to the north is an area of open space with The Priory Church beyond.
- 1.4 Access is gained via a track running past the mill and onto Pinsley Road.
- 1.5 The proposal is made in outline, although the only matter reserved for future consideration is landscaping, and is for the erection of buildings to create a residential development of 21 flats.
- 1.6 The submitted plans show three regularly spaced buildings that run parallel with the western boundary shared with the dwellings on Pinsley Road. The first of these is a three storey building of a similar scale and proportion to Pinsley Mill lying to the south. The building positioned centrally within the site is two storey whilst that to the northern end is a combination of three and four storey. This element returns at the northern end of the site to enclose the space. The existing access to the south is maintained and shared parking areas lie to the front of the buildings, between them and the railway line. A 2 metre high acoustic fence is proposed on the boundary between the railway line and the public footpath.
- 1.7 The application is accompanied by a design and access statement, a noise assessment and a draft heads of terms agreement for contributions towards highway improvements, improvements to off site play facilities, off site sports facilities and to secure the provision of six affordable units.

2. Policies

Herefordshire Unitary Development Plan 2007

Policy S1	-	Sustainable development
Policy DR1	-	Design
Policy DR2	-	Land use and activity
Policy DR3	-	Movement
Policy DR4	-	Environment

Policy DR5	-	Planning obligations
Policy DR13	-	Noise
Policy H1	-	Hereford and the market towns: settlement boundaries and established residential areas
Policy H9	-	Affordable housing
Policy H13	-	Sustainable residential design
Policy H14	-	Re-using previously developed land and buildings
Policy H15	-	Density
Policy H16	-	Car parking
Policy T6	-	Walking
Policy HBA6	-	New development within conservation areas

3. Planning History

The following relate specifically to the application site:

- 3.1 NC2008/0440/O - Site for the development of twenty one apartments, access road and parking - Refused 04/06/08 for the following reason:

The proposed development is of a density and intensity, which would dominate the adjoining residential properties to the west, particularly by reason of height, mass and proximity of new buildings to the common boundary. This would be detrimental to the character of the area generally. The proposed development would thereby be contrary to policies DR1 and H13 of the Herefordshire Unitary Development Plan 2007.

- 3.2 NC2007/2671/F Proposed 10 no. houses and associated works - Refused 03/12/07.
- 3.3 NC2004/1887/F Demolition of derelict building and erection of 4 dwellings - Approved 25/11/04.
- 3.4 NC2004/1561/C Demolition of derelict building - Approved 16/07/04.

The following are also relevant and relate to sites adjacent:

- 3.5 NC2008/0711/F Demolition of bungalow and garage, replace with a pair of semi detached houses and associated parking at Little West, Pinsley Road - Approved 06/05/08.
- 3.6 NC2008/0002/F Proposed demolition and conversion of mill, construction of glass link and new works to form three storey double block, to create nine apartments and all associated works at Pinsley Mill - Approved subject to a Section 106 Agreement.

4. Consultation Summary

Statutory Consultations

- 4.1 Network Rail - No objection subject to conditions relating to boundary treatments, landscaping and drainage.
- 4.2 Welsh Water – No objection subject to the imposition of conditions to ensure that foul and surface water are drained separately from the site, and particularly that surface water run-off does not discharge to the main sewer system

Internal Council Advice

4.2 Transportation Manager - No objections subject to conditions and contributions as per the SPD for highway improvement works in the locality. In relation to correspondence advising of a recent road traffic accident on Pinsley Road involving a single vehicle colliding with a wall, he suggests that such accidents will occur, irrespective of whether this development is approved or not, and that it appears to have occurred as a result of an irresponsible road user.

4.3 Public Rights of Way Manager - Comments as follows:

“I am aware that we have discussed treatment of the footpath on the previous, refused, application (DCNC2008/0440/O), and the PROW Manager was, at that time, happy to accept a 1.2 m high palisade fence on the west boundary of the footpath. However, I have now read the objections lodged for the previous application, and in view of the evident public concern about personal safety if the path was fenced on both sides, the PROW Manager would suggest that his original opinion on that application, that a low post and rail fence be provided, is still relevant to this new application. A low fence would allow the public to feel safer if confronted by any kind of antisocial behaviour on the path, and be able to escape into the common area in front of the apartments.

Given the absence of any kind of gate across the access road from the public road, access to the site from the public footpath should not be considered differently, and the proposed 1.2 m fence with locked gates would appear to be an unnecessary level of site security. Pedestrian access gaps could be provided through a low post and rail fence for use by residents, and even if a pedestrian route became established across the front of the apartments, this would provide additional, and better natural surveillance of the whole site.

It is therefore recommended that the plans are amended to show a 450mm boundary fence and that a condition relating to the surfacing of the public footpath be imposed.”

4.4 Head of Strategic Housing - Does not support the application as it only provides 6 affordable units. A 35% provision equates to 7 units.

4.5 All units must be subject to a Section 106 Agreement and this should include the following details:

1. All units should be built to the Housing Corporation's Design & Quality Standards 2007 without grant subsidy.
2. All shared ownership units be capped at 80% ownership to keep them affordable for local people in perpetuity.
3. All units to be allocated to applicants with a strong local connection to Leominster, or to Herefordshire in the event that no suitable applicant with a connection to Leominster can be found.
4. All units to be allocated through Home Point.

4.6 Conservation Manager – objects to the application on the basis that the scheme represents an over-intensive use of the site, its massing is incorehent with no rationale

for the height changes in the blocks and that they are overbearing in both their form and proportion.

4.7 Head of Environmental Health and Trading Standards – Comments awaited.

5. Representations

5.1 Leominster Town Council - Recommend refusal on the basis of over-development, lack of amenity space and highway safety.

5.2 Herefordshire Trail Committee - Concerned about the fences to be erected either side of the public footpath which forms part of the Herefordshire Trail, and the opportunity for crime.

5.3 Twenty letters of objection have been received from local residents. In summary the points raised are as follows:

1. Concerns over highway safety, particularly the point of access onto Pinsley Road and the additional traffic that would be generated by the proposal.

2. Access should be curtailed from Pinsley Road through The Grange.

3. The proposal is inadequate in terms of its parking provision. This will result in additional parking along Pinsley Road.

4. Concerns about privacy and amenity for properties bordering the site.

5. The proposal represents an over-intensification of development, higher than the scheme for 10 dwellings that was refused.

6. The scheme does not reflect the character or appearance of the conservation area.

7. The four -storey element of the proposal is overpowering.

8. The proposal is a missed opportunity to make a positive impact.

9. Concerns about drainage.

5.4 The full text of these letters can be inspected at Northern Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officer's Appraisal

6.1 The proposal gives rise to four key issues to be assessed as material planning considerations and these are as follows:

1. Design.

2. Impact on the conservation area.

3. Highway safety (including parking).

4. Residential amenity.

Each of these will be dealt with in turn.

Design

- 6.2 The site provides a number of constraints which serve to limit the nature of the development. It is narrow, is bounded by a railway line and public footpath, it only has one point of access and is dissected by a public sewer. The result is that there is only a limited area that can be built upon and the proposal seeks to maximise this through a development of flats as opposed to individual dwellings. There is no fundamental objection to this in terms of planning policy and the height of parts of the proposal does, reflect that of the mill to the south.
- 6.3 In order to try and address the previous reason for refusal the applicant's agent has significantly increased the spacing between the blocks of development and reduced the height of the central block to two storey. It was this aspect of the previous scheme that had particularly given rise to concerns regarding the dominance of the development on the residential amenity of dwellings located on Pinsley Road. In order to ensure that the development remains viable the compromise for this is to introduce a four storey element to the north of the site, backing onto the Scout hut. In your Officer's opinion this is an acceptable compromise as it does lead to a significant reduction in impact on the dwellings on Pinsley Mill. The increased spacing between the three built elements on the site considerably reduces the perception of a continuous line of development and, due to its position at the northern end of the site, the four storey part does not appear to be unduly dominant nor does it impact upon the residential amenity of any dwellings. Its impact on the Scout hut is negligible given that it does not have any significant outside space or windows facing onto the application site.
- 6.4 The density of the development equates to 84 dwellings per hectare. However, the very nature of flats is that they provide a higher density of living accommodation than a development of individual dwellings. Furthermore the requirements and expectations for providing private amenity space are entirely different and therefore the simple application of Policy H15 in respect of density is not considered to be appropriate. An assessment must be made as to whether the scheme provides all of the associated services such as car and cycle parking and bin storage without the development appearing unduly cramped. In your Officer's opinion the scheme does achieve all of these aims.
- 6.5 In conclusion, the proposal is a logical response to the constraints of the site and the previous reason for refusal. It is of an appropriate scale and mass in relation to its surroundings and does not appear to be dominating of the nearby residential dwellings. It is therefore considered to accord with policies DR1 and H13.

Impact on the Conservation Area

- 6.6 The context in which this development will be seen is against the backdrop of the residential areas of Leominster. Pinsley Road is a mix of development whose ages range from the early 20th century to the present day. The conservation area has no defining architectural character and the development of this currently vacant site, given the constraints that have previously been identified, will enhance the appearance of the conservation area in accordance with policy HBA6 and the guiding principles of PPG15.

Highway Safety

- 6.7 The Transportation Manager is satisfied with the access to the site and its emergence onto Pinsley Road. Many of the objections raise concerns with increased traffic movements in the area and seemingly that Pinsley Road is used by vehicles to cut through to the Grange, but there is no evidence to suggest that this development would exacerbate this, particularly as it is close to the junction of Pinsley Road and Etnam Street.
- 6.8 The plans show that one space per unit will be provided on site. This accords with policy H16 of the UDP and is considered to be acceptable given that residents would have ready access to public transport, pedestrian routes into the town centre and also as the scheme also makes provision for cycle parking.
- 6.9 The site is well located to make full use of the pedestrian links that it has with the town centre. It is acknowledged that the public footpath is well used and its position has influenced the location of the acoustic fence on the boundary with the railway line. As a result the footpath provides an ideal opportunity to encourage future residents to walk rather than use private motor vehicles. The reduction in height of the fence between the site and footpath is a matter that can be dealt with by condition, as is the re-surfacing of the footpath. As a result the proposal is considered to fully accord with policies DR3 and T6 of the Unitary Development Plan.

Residential Amenity

- 6.10 The element that previously caused the greatest degree of overlooking has been omitted from this scheme. The others are either screened by a mature *Leylandii* hedge within the curtilage of an adjoining property (to the southern end of the site), or oppose the Scout Hut (to the north) where there is no issue in terms of amenity. Whilst the development is in close proximity to the western boundary, a combination of the lower ground level of the application site, existing vegetation within the curtilage of many of the adjacent dwellings and the fact that the dwellings on Pinsley Road are in excess of 30 metres from the boundary with the application site all serve to ensure that there will be minimal overlooking. Similarly the distance between the proposed development and existing dwellings and the spacing between each of the buildings comprising the proposal will ensure that it does not appear to be overbearing. It is therefore concluded that the proposal is acceptable in terms of residential amenity and accords with policies DR1 and H13 in this respect.

Other issues

- 6.11 The affordable housing provision of six units is slightly below the requirements of policy H9 of the UDP (29% as opposed to the 35% required by the policy). However, the applicant's agent has indicated that the first block upon entering the site is to be offered as the affordable element. This is beneficial for two reasons. First it is easily managed as a single element by a Housing Association and second, being at the entrance to the application site, it should negate a suggestion that there is an intention to separate the affordable element from the open market part. Your officers would have greater concerns if it were to be located at the northern end of the site.
- 6.12 For these reasons a slight reduction in the affordable housing provision is justified and subject to the detailed recommendations of the Head of Strategic Housing the scheme is considered to be acceptable.

- 6.13 Concerns relating to surface water drainage can be addressed through the imposition of conditions. This is reflected in the advice given by Welsh Water.

Conclusion

- 6.14 The proposal addresses the reason given in the refusal of the earlier application and is considered to accord with the adopted policies of the Unitary Development Plan. The application is recommended for approval.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. **A02 (Time limit for submission of reserved matters (outline permission))**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

2. **A03 (Time limit for commencement (outline permission))**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

3. **A04 (Approval of reserved matters)**

Reason: To enable the local planning authority to exercise proper control over these aspects of the development and to secure compliance with policy DR1 of the Herefordshire Unitary Development Plan.

4. **A05 (Plans and particulars of reserved matters)**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

5. **B07 (Section 106 Agreement)**

Reason: In order to provide [enhanced sustainable transport infrastructure, educational facilities, improved play space, public art, waste recycling and affordable housing] in accordance with Policy DR5 of the Herefordshire Unitary Development Plan 2007.

6. **C01 (Samples of external materials)**

Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.

7. **I13 (Scheme to protect new dwellings from road noise)**

Reason: To protect the residential amenities of the future occupiers of the properties and to comply with Policy DR13 of Herefordshire Unitary Development Plan.

8. I16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents and to comply with Policy DR13 of Herefordshire Unitary Development Plan.

9. I44 (No burning of materials/substances during construction phase)

Reason: To safeguard residential amenity and prevent pollution and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

10. I51 (Details of slab levels)

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site so as to comply with Policy DR1 of Herefordshire Unitary Development Plan.

11. H13 (Access, turning area and parking)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan.

12. H27 (Parking for site operatives)

Reason: To prevent indiscriminate parking in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

13. H29 (Secure covered cycle parking provision)

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

14. L01 (Foul/surface water drainage)

Reason: To protect the integrity of the public sewerage system and to comply with Policy CF2 of Herefordshire Unitary Development Plan.

15. L02 (No surface water to connect to public system)

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.

16. L03 (No drainage run-off to public system)

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.

- 17. Notwithstanding the plans hereby approved, the details of the fence between the site and the public footpath shall be submitted to and agreed in writing by the local planning authority, prior to the commencement of development. The development shall be carried out in accordance with the approved details and the works completed, before any of the apartments hereby approved are first occupied.

Reason: To ensure that the public right of way is protected in accordance with Policy T6 of the Herefordshire Unitary Development Plan.

Informatives:

- 1. N15 - Reason(s) for the Grant of Planning Permission
- 2. N19 - Avoidance of doubt - Approved Plans
- 3. HN01 - Mud on highway
- 4. HN04 - Private apparatus within highway
- 5. HN05 - Works within the highway
- 6. HN10 - No drainage to discharge to highway
- 7. HN28 - Highways Design Guide and Specification

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

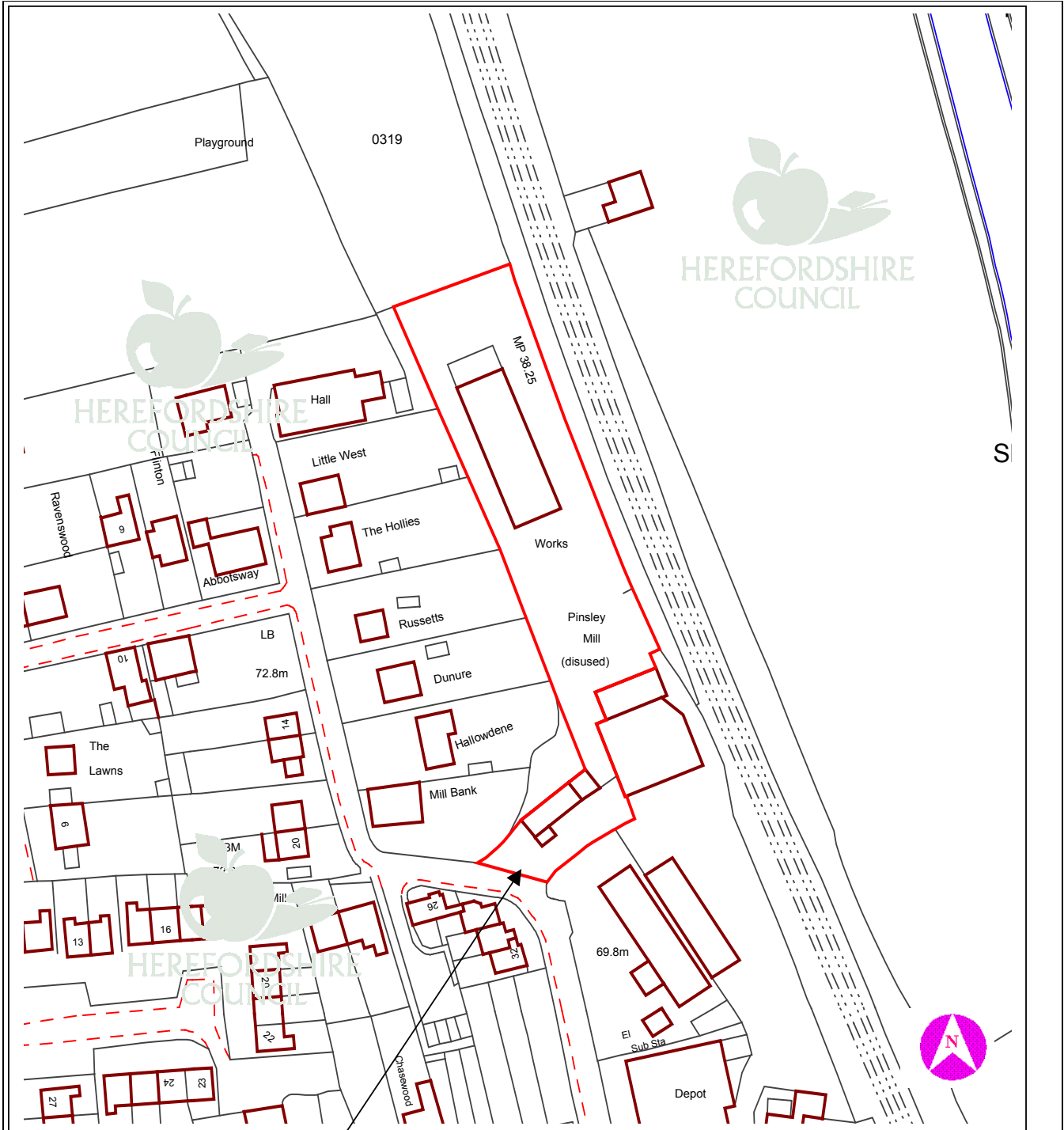
APPENDIX

DRAFT HEADS OF TERMS

Proposed Planning Obligation Agreement
Section 106 Town and Country Planning Act 1990
Planning Application – DCNC2008/1824/O

Site for the development of 21 apartments, access road and parking
Pinsley Works, Pinsley Road, Leominster.

1. The developer covenants with Herefordshire Council to pay Herefordshire Council the sum of £10,000 in respect of play area facilities to serve the development, such contribution to go towards facilities at the Sydonia Park. This sum shall be paid on or before the commencement of the development.
2. The developer covenants with Herefordshire Council to pay Herefordshire Council the sum of £13,230 towards off site sports facilities to serve the development, such sum to be used for improvements at Bridge Street Sports Centre. The sum shall be paid on or before the commencement of the development.
3. The developer shall provide six affordable units, those being units 16 to 21 inclusive as indicated on drawing number 963.1 Rev. B submitted as part of the application. Such units will meet the criteria as set out in section 5.5 of the Unitary Development Plan 2007. The applicants or successors in title shall procure the construction of the affordable units in accordance with the current Housing Corporation Design & Quality Standards 2007 and Lifetime Home Standards with no affordable housing grant input
4. The developer covenants with Herefordshire Council, to pay Herefordshire Council the sum of £25,831 to provide sustainable transport measures in Leominster. The sum shall be paid on or before the commencement of development. The monies shall be used by Herefordshire Council at its option for any or all of the following purposes:
 - a) Pedestrian access improvements near the development and within Leominster.
 - b) Improvements to bus provision/passenger waiting facilities.
 - c) Improvements to safe routes to local schools etc.
 - d) Contribution to safe routes to schools.
5. The developer covenants with Herefordshire Council to pay Herefordshire Council an additional administration charge of £980 to be used towards the cost of maintaining and enforcing the Section 106 Agreement.
6. In the event that Herefordshire Council does not for any reason use the said sums of Clauses 1, 2, 4 or 5 above for the purposes specified within 10 years of the date of this agreement, the Council shall repay to the developer the said sum or such part thereof, which has not been used by Herefordshire Council.
7. The developer shall pay to the Council on or before the completion of the Agreement, the reasonable legal and administrative costs incurred by Herefordshire Council in connection with the preparation and completion of the Agreement.



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APPLICATION NO: DCNC2008/1824/O

SCALE : 1 : 1250

SITE ADDRESS : Pinsley Works, Pinsley Road, Leominster, Herefordshire, HR6 8NX

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**DCNC2008/1934/CD - PROPOSED REDEVELOPMENT
OF THE MINSTER COLLEGE. MINSTER COLLEGE,
SOUTH STREET, LEOMINSTER, HEREFORDSHIRE,
HR6 8JJ**

**For: Director of Children's Services per Haverstock
Associates 10 Cliff Road Studios Cliff Road London
NW1 9AN**

Date Received: 28th July 2008 Ward: Leominster South Grid Ref: 49724, 58334

Expiry Date: 27th October 2008

Local Member: Councillor R Hunt

1. Site Description and Proposal

- 1.1 The Minster College is located off South Street and is south-east of the town centre. There are three main access points, from South Street, Coningsby Road and Castlefields. A pedestrian access route to Coningsby Road passes the Leisure Centre and emerges onto its car park. This is currently used by the school, particularly as a drop off and pick up point for coaches. Access to the main staff school parking area is available via a gated entrance on Castlefields. It contains 44 parking spaces (including 5 disabled bays). A public footpath also cuts through the site from South Street, between the main school and the Leisure Centre and DT block, and then along the eastern boundary of the playing fields.
- 1.2 The Minster College currently comprises of mixture of buildings, which have been extended many times over the years. The converted Victorian Grammar School building faces onto South Street and a collection of two, three and four storey 1950's and 1960's teaching blocks spread across the central section of the site.
- 1.3 Although relatively flat towards the centre of the site, there is a level change of 1.6m from South Street. It is set within a predominantly residential area comprising a mixture of Victorian terrace and post-war housing. The majority of buildings in the area are two storeys, although there are some single and three storey buildings in the vicinity of the site. Beyond the playing fields to the south is an industrial estate and to the north is the Leisure Centre. This is a council managed facility and is used by the school and consists of double height flat roof building with a recent extension for a swimming pool. Adjacent to the Sports Centre is the Coningsby Children's Centre, which is a new brick nursery with an external play area.
- 1.4 Whilst the whole school site, including the playing fields and hard play areas, is relatively large, Sport England has imposed a building line to the southern edge of the existing tennis courts in order to ensure that the sports pitches beyond are not encroached upon. This results in the loss of the tennis courts but has been agreed on the premise that they will be replaced with Multi Use Games Areas (MUGAs) elsewhere on the school site. The planning history that follows shows that permission has been granted for this on land adjacent to the Leisure Centre and swimming pool.

- 1.5 The proposal is for the construction of a new school on an area lying immediately to the south of the existing buildings and including the tennis courts referred to above. The improvements to the facilities of Minister College would increase pupil capacity. The existing college currently has 680 pupils, whilst the new college accommodate 1020 pupils, including an extended sixth form allocation.
- 1.6 The new school building is effectively formed in two main blocks aligned generally on a north/south axis, although a third element projects along an east/west plane towards Castlefields. This reinforces the concept of an internal 'street' within the school linking the two main blocks together.
- 1.7 The main school entrance faces due north back into the centre of Leominster and towards the Leisure Centre. It is a large glass facade flanked by two and three storey elements, a community theatre to be available for use out of school hours, but an integral part of the school during the day, and the administration offices. A canopy extends over the entrance to give shelter providing the proposal with a clearly defined entrance.
- 1.8 The western boundary to the site is residential therefore this element of the re-development has been maintained at a two storey level. A new service road runs the full length of the boundary to act as a buffer. Similarly, due to its proximity to residential areas, the wing projecting eastwards has been kept as two storey. A three storey wing runs through the central part of the site and incorporates the community theatre and a glazed atrium lying at the heart of school.
- 1.9 The building is of a contemporary design, combining a mix of materials to include brick, render and glass. Light wells in the roof elevations draw daylight into the core of the building and the two storey elements have sedum roofs. The proposal also includes the provision of a helical wind turbine to be mounted on the roof of the three storey element of the building towards its southern end.
- 1.10 The proposed development incorporates a new access via South Street, operating with an In/Out arrangement. This requires the complete demolition of the former Grammar School buildings. Part of this area will accommodate a car park and bus drop-off facilities with the remainder being landscaped as a public square. The access from Castlefields will be closed, whilst the pedestrian link through to Coningsby Road will be maintained.
- 1.11 Secure and lockable cycle storage facilities are proposed with separate facilities made available for staff and students. Staff are allocated 5 Sheffield Stands (10 cycle spaces), whilst students are offered 100 Sheffield Stands (200 spaces) with potential for expansion of these facilities to 400 spaces should demand exceed this provision.
- 1.12 The proposed development scheme incorporates a number of measures to enhance pedestrian and cyclist safety, both within the immediate school environs and the wider local road network. The new access via South Street incorporates a 3m footway and 3m cycleway into the site, to link with the existing footways along South Street. Within the school the plans indicate safe pedestrian and cyclist routes within the main car park through the use of zebra-crossing type arrangements to give greater priority to them.
- 1.13 As well as the public square to the front of the school buildings, the scheme also includes a series of hard surfaced open spaces within the school compound itself. The

plans show two dedicated 'kick-about' areas as well as a courtyard to the southern end of the site for pupils to use on a more informal basis during breaks and lunch times.

- 1.14 The application is accompanied by a single document encompassing the following issues arising as a result of the proposal:

- Design and Access Statement
- Statement of Community Involvement
- Open Space, Sport and Recreation Needs Assessment
- Habitat Survey and Bat Report
- Tree Survey
- Transport Statement
- Draft School Travel Plan
- Site Waste Management Plan
- Technical Summary of Wind Turbine Technology

2. Policies

2.1 National Guidance

- PPS1 - Delivering Sustainable Development
- PPG13 - Transport
- PPG17 - Open Space, Sport and Recreation

2.2 Herefordshire Unitary Development Plan

- S1 - Sustainable development
- S2 - Development requirements
- S6 - Transport
- S11 - Community facilities and services
- DR1 - Design
- DR3 - Movement
- DR14 - Lighting
- T6 - Walking
- T7 - Cycling
- T8 - Road hierarchy
- T11 - Parking provision
- T14 - School travel
- CF5 - New community facilities

3. Planning History

DCNC2008/1171/CD – Proposed installation of five temporary mobile classrooms, one temporary mobile w.c. and six multi use Games Areas. – Approved 06.07.08

4. Consultation Summary

Statutory Consultations

- 4.1 Sport England - Raise no objection to the proposal as it is considered to meet the criteria outlined by paragraph 15 of PPG17.
- 4.2 Welsh Water - Require further information in relation to foul and surface water drainage of the site.

Internal Council Advice

Transportation Manager:

- 4.3 Highway Engineer - Raises no objection subject to conditions relating to the formation of the new access, cycle parking and travel plans.
- 4.4 School Travel Adviser - The Travel Plan to be developed should be a recognized School Travel Plan if it is to attract a Government grant. The work that has been completed so far is a good grounding but a lot more will need to be done to satisfy this criteria. The school has been made aware of this and is committed to producing a School Travel Plan.
- 4.5 Public Rights of Way Manager - No objection

5. Representations

- 5.1 Leominster Town Council - Raise the following points:
 - a. Concerns about the architectural design and whether it would enhance the area.
 - b. Clear resolution needed for safe traffic control of pedestrian and traffic movement along South Street as there is concern about conflict between pedestrians and vehicles, particularly at entry/exit points.
 - c. Footpath should be closed for a minimum period and re-opened on completion of the works.
- 5.2 Seven letters have been received in relation to the application from the following:

Mr Humphries, 120 South Street
 R. Ferguson, 96 Castlefields
 Mr & Mrs Crick, Copper Hall, South Street
 Mrs G. Davies, 80 Castlefields
 Mr A. Marshall, 2 Minster Court, South Street
 Mr C. Preece, 4 Minster Court, South Street
 Mr & Mrs Wall, 67a South Street

None of the letters express an outright objection to the proposal, but in summary, the following points are raised:

- a. The proposal will result in increased traffic levels and congestion along South Street.
- b. The introduction of two new access points will compromise pedestrian safety.
- c. Query whether any parking or speed restrictions, or traffic calming measures are proposed for South Street.
- d. Concern at the loss of on-street car parking for residents along South Street.
- e. Concern about the temporary closure of the public footpath and how this affects the ability of residents bounding it to maintain their boundaries.
- f. Concern about the boundary treatments and the impact on property during the demolition of the old Grammar School buildings.
- g. Feeling that there has been a lack of consultation.

The full text of these letters can be inspected at Northern Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officer's Appraisal

Introduction

- 6.1 Minster College is typical of many schools in that it has developed over many years through piecemeal additions to accommodate an increasing population of school children as the town that it serves has grown. It is apparent that many of the buildings that currently form the school have reached the end of their life, suffering from a lack of maintenance to a point where parts suffer from problems of damp and structural decay, including the former Grammar School that fronts on to South Street.
- 6.2 A decision has therefore been reached to demolish the existing school and replace it with a new purpose-built campus. This however, is restricted by two critical factors;
1. that the existing school must remain in place whilst the development of a new one takes place, and;
 2. a boundary has been set by Sport England to the south of the existing tennis courts beyond which development should not take place.
- 6.3 As a result the area to be occupied by the new complex of buildings is very restricted and it is clear that this has been a significant influence on the design and layout of the scheme.
- 6.4 Not only is the physical size of the site a constraint, but also the proximity of residential dwellings on South Street and Castlefields, and the fact that a public right of way dissects the site. These factors have also served to influence and dictate how the scheme has evolved.

Design and Layout

- 6.5 In response to all of these constraints the proposal is focused on the principle of an internal 'street' running through the spine of the campus. In order to accommodate all of the facilities that have been required by the design brief, part of the development is three storey, and logically this has been positioned towards the centre of the site in order that it does not dominate the residential properties on South Street and Castlefields.
- 6.6 The main two storey element runs parallel with the rear boundary of the properties fronting onto South Street. It should be noted however that four properties lie within this area, three of which are currently under construction. Nevertheless the elevation is approximately 10 metres from the boundary, separated from it by the proposed service road. The building presents a continuous frontage for a length of 95 metres at a height of 7.8 metres and is set against aspects of the three storey parts that lie behind. The boundary between the site and the properties is, for the most part, well vegetated and the dwellings fronting onto South Street are sufficiently distant to avoid any demonstrable impact on their residential amenity.
- 6.7 The gable end of the second two storey part opposes properties on Castlefields. It is a blank elevation, again at a height of 7.8 metres and is approximately 18 metres from

the facing elevation of 55 Castlefields. An outdoor performance area is also shown within this area, relating to the community theatre which lies beyond. A judgment has to be made whether this will be so harmful to the residential amenity of the immediate properties when assessed against the current situation where Castlefields is used for vehicular access and the area immediately within the school grounds for parking and generally as a circulation area. In your officers view the long term gain of these traffic movements being removed far outweighs the closer proximity of the building and outdoor performance area and therefore this aspect of the scheme is also considered to be acceptable.

- 6.8 The new campus is of contemporary design and has been developed to create a building that is both welcoming and 'user friendly' so that pupils are able to circulate with ease. It has been influenced by the views of current pupils and staff who suggested that the building should have an obvious entrance, open spaces to the fore to allow community use, reflect the school's sports specialism and should provide a 'wow' factor. The design and layout achieves all of these. The main entrance to the building is clearly defined by the large area of glazing and is immediately adjacent to the community theatre. The coloured glazing running through the body of the building as a curtain and emerging as part of the three storey element (described as the 'learning lantern'), provides a visual draw and the mix of materials and the variation in the heights of two and three storey elements adds interest to what might otherwise be very dominant and overbearing elevations. The various faculties of the school are positioned in relation to the facilities that they rely upon. Drama and English are located in closest proximity to the theatre and performance area, the PE block gives access directly to the playing fields whilst the Science and Technology classrooms and the school's kitchen, aspects which are likely to receive regular deliveries, are adjacent to the service road.
- 6.9 The design and layout of the scheme has been well considered so that it responds to the constraints of the site and the requirements of its users. It is visually pleasing and will represent an improvement in this respect over the existing premises. The proposal therefore accords with the relevant Unitary Development Plan policies in this respect.

Landscape

- 6.10 There are two distinct landscaped areas. Those that are provided principally for students and those that create the public front to the school and will be available for the wider public to use.
- 6.11 The scheme provides space within the campus for informal use by the students. These include two kick-about areas, one to the northern end and one to the south. These are essentially hard surfaced areas that can be used for informal recreation during breaks and lunch times.
- 6.12 An area lying between the two and three storey elements is designed as a more informal gathering area for students. A series of canopies and seating areas are to be provided and is readily accessible from the open centre of the building which, in part, provides a dining area.
- 6.13 The public realms are the square immediately in front of the main entrance and the car park with its frontage onto South Street. The plans again give an indication of seating provision, a suggestion of the type of surface to be used, and that planting will create a softer edge to what may otherwise be a large expanse of paving and tarmac.

- 6.14 It is vital for the setting of the school that this is something more than merely a few individually planted trees set in amongst a sea of hard surfacing and a detailed planting regime has yet to be properly considered, and whilst it is accepted that the re-development of the school has to take place within a limited budget, it would be unfortunate for such an effort to be made to provide high quality educational facilities, only for it to be let down by a lack of landscaping detail. The submission does include a plan indicating areas where soft landscaping will be placed, and suggests the use of semi mature trees in certain areas, although details of precise species is not included. A plan has also been included to suggest areas that will be lit, but again precise details of the equipment to be used is not included.
- 6.15 It is considered that a detailed scheme for hard and soft landscaping and lighting can be agreed through suitably worded conditions. This would also include the detailed boundary treatments along the western edge of the site shared with properties on South Street and also the boundary of the car park with 67a South Street.

Access

- 6.16 Policy DR3 of the Unitary Development Plan requires that development provides safe, convenient and attractive patterns of movement into, out of and across sites, particularly for pedestrians, people with disabilities and cyclists.
- 6.17 The site is already very permeable with the public footpath cutting through the school to the north from South Street, and then running along its eastern boundary with Castlefields, and also the pedestrian link to Coningsby Road further to the north. The proposal maintains and strengthens these links by creating a much more open feel in the vicinity of the public footpath, whereas it currently runs along the side of buildings giving it a sense of enclosure. This allows the creation of a combined pedestrian/cycle route within the site for those entering from South Street, completely separated from vehicular traffic, giving access directly to the front entrance without conflict.
- 6.18 The link with the Leisure Centre and parking on Coningsby Road remains and will continue to allow drop off and pick up by parents wishing to use this facility rather than the new entrance.
- 6.19 The school is of course designed to comply with all aspects of DDA requirements with levels accesses to all areas and lifts placed at strategic points to give access to upper floors.
- 6.20 The scheme complies entirely with the requirements of Policy DR3 of the Unitary Development Plan.

Sustainability

- 6.21 The building has been designed to be energy efficient, using a combination of simple methods such as its orientation, natural ventilation and the use of larger areas of glazing to maximize the availability of natural daylight; with more specific technologies such as heat recovery methods, glazing specifications and area specific ventilation and heating systems, the latter giving individual teachers the ability to control classroom temperature rather than a single thermostatic control for the whole building.
- 6.22 Natural ventilation offers a low energy solution to ventilating classrooms throughout the summer and mid-season periods. During the winter months, however, the opening of windows can lead to a huge increase in a buildings overall heat loss. Draughts caused

by natural ventilation in winter often result in the windows being closed which, in turn, can give rise to high levels of CO₂ in teaching spaces. The use of heat recovery ventilation during the winter ensures that the appropriate level of fresh air is maintained, promoting a healthy learning environment via energy efficient techniques.

- 6.23 A wind turbine is proposed to supplement the mains electricity supply to the proposed building. This will be placed at the end of the three storey teaching block and deep into heart of the site. This assures maximum output away from obstructions to the south west, whilst minimising the impact on the surrounding neighbourhood. As opposed to traditional wind turbines, the proposed 'Quiet Revolution' turbine features an aerodynamic design that not only reduces the noise and vibration to near silent operation, but also provides an attractive beacon for the School.
- 6.24 The desire to limit the carbon footprint of the new school reflects the requirements of current Building Regulations with regard to energy efficiency, but are also a key criteria of Government requirements for the funding of the scheme. It is therefore clear that efficiency targets must be met and will, where possible be exceeded and this ensures that the proposal also complies with the relevant policies in terms of sustainability objectives.

Highways

- 6.24 Perhaps the most significant impact of the proposal is the eventual demolition of the old Grammar School buildings to create a new access and car park onto South Street, and it is this matter alone which is the main concern of those local residents who have responded to the consultation process. In particular concern has been expressed about increased traffic movements on South Street, pedestrian safety, the loss of on-street parking and what measures are to be put in place for traffic calming.
- 6.26 A balance needs to be struck between the existing situation of traffic movements associated with the school and what is proposed. Currently a significant number of vehicles, principally staff and service vehicles, rely on the access from Castlefields. This is to be closed and represents a significant improvement to the amenity of that residential area. Similarly there is a high concentration of traffic using the car park on Coningsby Street and its junction with South Street. Whilst this is likely to continue, it is likely to be to a lesser extent due to the improved accessibility of the new campus.
- 6.27 The matter of pedestrian safety within the site has been considered earlier in the report and a conclusion has been drawn that there will be significant improvements in this respect. The use of a one way system for vehicles entering and leaving the site from South Street means that there are two points to be crossed by pedestrians walking along the road. Whilst this is a potential point of conflict, the fact that vehicles are only moving in one direction at each of these junctions means that pedestrians need only cross one line of moving traffic at a time.
- 6.28 With regard to on-street parking, a tracking diagram has been submitted in relation to the access onto South Street. In simple terms this shows the turning arc of a bus entering and leaving the site and it demonstrates that it can enter and leave without encroaching into a notional 2.5 metre parking zone on the opposite side of the road. This has been examined by the Transportation Manager who is satisfied that it is an accurate reflection of a vehicle movement into and out of the site. It should of course be highlighted though that there is no right to park within the public highway.

- 6.29 Clearly there is a desire to ensure that the safety of all highway users is maintained at all times. A Transport Statement and Travel Plan accompany the application and provide details about predicted traffic flows and how these might affect the surrounding road network. Should planning permission be forthcoming a condition should be imposed requiring the completion of a School Travel Plan. Within such a condition it is a requirement that plans are reviewed annually and it is anticipated that this process of monitoring would determine whether any highway improvement works or restrictions would be required at some point in the future. The latter would need to be completed through a Traffic Regulation Order and this is subject to its own consultation process and cannot be requested by a planning condition.
- 6.30 It is concluded that the proposal will result in a safer, more convenient pattern of traffic movement. It will result in less traffic travelling through residential areas to gain access to the school and the improved campus will actively promote more sustainable modes of transport by improving pedestrian, cycling and bus facilities, and continued improvements through a School Travel Plan. The scheme therefore accords with relevant policies contained within the Unitary Development Plan in this respect.

Community Involvement

- 6.31 The application is one of very few that has been accompanied by a Statement of Community Involvement and it is clear that a great deal of consultation has continued throughout the development of the scheme, including staff, pupils, local residents and officers of all disciplines across the Council.
Development Phasing
- 6.32 On commencement of the development the site will be fully fenced to create a clear and distinct boundary between it and the existing school buildings which must remain whilst the construction of the new school is completed.
- 6.33 Appropriate signage will be erected to give clear instructions on areas that are for the use of the school and areas that the school are excluded from whilst construction activities are taking place. In addition scaffold fans will be erected along the Northern boundary to protect against possible accidental damage to the existing school buildings. Construction activities will be strictly limited to the confines of the site. Matters of site safety are addressed through the Health and Safety Executive and need not be dealt with through planning conditions.
- 6.34 It is proposed to establish a site compound in the area to east of the school site currently used as a vegetable garden. Construction material deliveries will be off Castlefields and will be limited to specific times of the day to avoid any potential interface with the movement of the school pupils and staff. The proposals also include the establishment a Gateman's Compound where all vehicles arriving at the school will be logged and directed to their and be escorted through the construction area by site workers. The precise details of this should be the subject of appropriate conditions.
- 6.35 The principle works in Phase 3 is the demolition of the existing Minster School and the construction of the new car parking facilities and public square. The access for these works will be from South Street. The site area will be fully fenced off at all times. All construction personnel and vehicles will access the site from South Street and the details of this can be dealt with through the same conditions referred to above.

Conclusion

6.36 The scheme has been well considered and represents a significant improvement in terms of its visual appearance, highway safety for all users and sustainability over the existing campus. It responds well to a very restricted site and in turn this has influenced the design of the new buildings. The proposals accord with all of the Unitary Development Plan policies highlighted earlier in this report and it is therefore recommended that the application be approved.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1 A01 (Time limit for commencement (full permission))

Reason: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2 B03 (Amended plans)

Reason: The development hereby approved shall be carried out strictly in accordance with the amended plans received by the local planning authority on 27th August 2008.

Reason: To ensure the development is carried out in accordance with the amended plans and to comply with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.

3 C01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.

4 G10 (Landscaping scheme)

Reason: No development shall commence on site until a landscape design has been submitted to and approved in writing by the Local Planning Authority. The details submitted should include:

Soft landscaping

- a) A plan(s) showing details of all existing trees and hedges on the application site. The plan should include, for each tree/hedge, the accurate position, species and canopy spread, together with an indication of which are to be retained and which are to be removed.
- b) A plan(s) at a scale of 1:200 or 1:500 showing the layout of proposed tree, hedge and shrub planting and grass areas
- c) A written specification clearly describing the species, sizes, densities and planting numbers and giving details of cultivation and other operations associated with plant and grass establishment.

Hard landscaping

- a) Existing and proposed finished levels or contours
- b) The position, design and materials of all site enclosure (e.g. fences, walls)
- c) Car parking layout and other vehicular and pedestrian areas
- d) Hard surfacing materials
- e) Minor structures (e.g. play equipment, street furniture, lighting, refuse areas, signs etc.)

Reason: In order to maintain the visual amenities of the area and to conform with Policy LA6 of Herefordshire Unitary Development Plan.

5 G11 (Landscaping scheme - implementation)

Reason: In order to maintain the visual amenities of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.

6 H13 (Access, turning area and parking)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan

7 H29 (Secure covered cycle parking provision)

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

8 H30 (Travel plans)

Reason: In order to ensure that the development is carried out in combination with a scheme aimed at promoting the use of a range of sustainable transport initiatives and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

9 H31 (Outline Travel Plan)

Reason: In order to ensure that the development is carried out in combination with a scheme aimed at promoting the use of a range of sustainable transport initiatives and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

10 I16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents and to comply with Policy DR13 of Herefordshire Unitary Development Plan.

11 I18 (Scheme of foul drainage disposal)

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

12 I33 (External lighting)

Reason: To safeguard the character and amenities of the area and to comply with Policy DR14 of Herefordshire Unitary Development Plan.

13 I41 (Scheme of refuse storage (commercial))

Reason: In the interests of amenity and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

14 I44 (No burning of materials/substances during construction phase)

Reason: To safeguard residential amenity and prevent pollution and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

15 The development hereby committed shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall address all aspects of the proposal including the location of the site compound and gatemens compound. No construction works shall be carried out on the site unless the measures set out in the Approved Construction Management Plan are in operation.

Reason: To protect the amenity of the local residents and to comply with Policy DR13 of the Herefordshire Unitary Development Plan.

16 H27 (Parking for site operatives)

Reason: To prevent indiscriminate parking in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

17 H21 (Wheel washing)

Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

INFORMATIVES:

- 1 N15 – Reason(s) for the Grant of Planning Permission**
- 2 N13 - Control of demolition - Building Act 1984**
- 3 N14 - Party Wall Act 1996**
- 4 N19 - Avoidance of doubt - Approved Plans**
- 5 HN01 - Mud on highway**
- 6 HN04 - Private apparatus within highway**
- 7 HN05 - Works within the highway**

- 8 HN10 - No drainage to discharge to highway
- 9 HN22 - Works adjoining highway
- 10 HN26 - Travel Plans
- 11 HN27 - Annual travel Plan Reviews
- 12 HN28 - Highways Design Guide and Specification

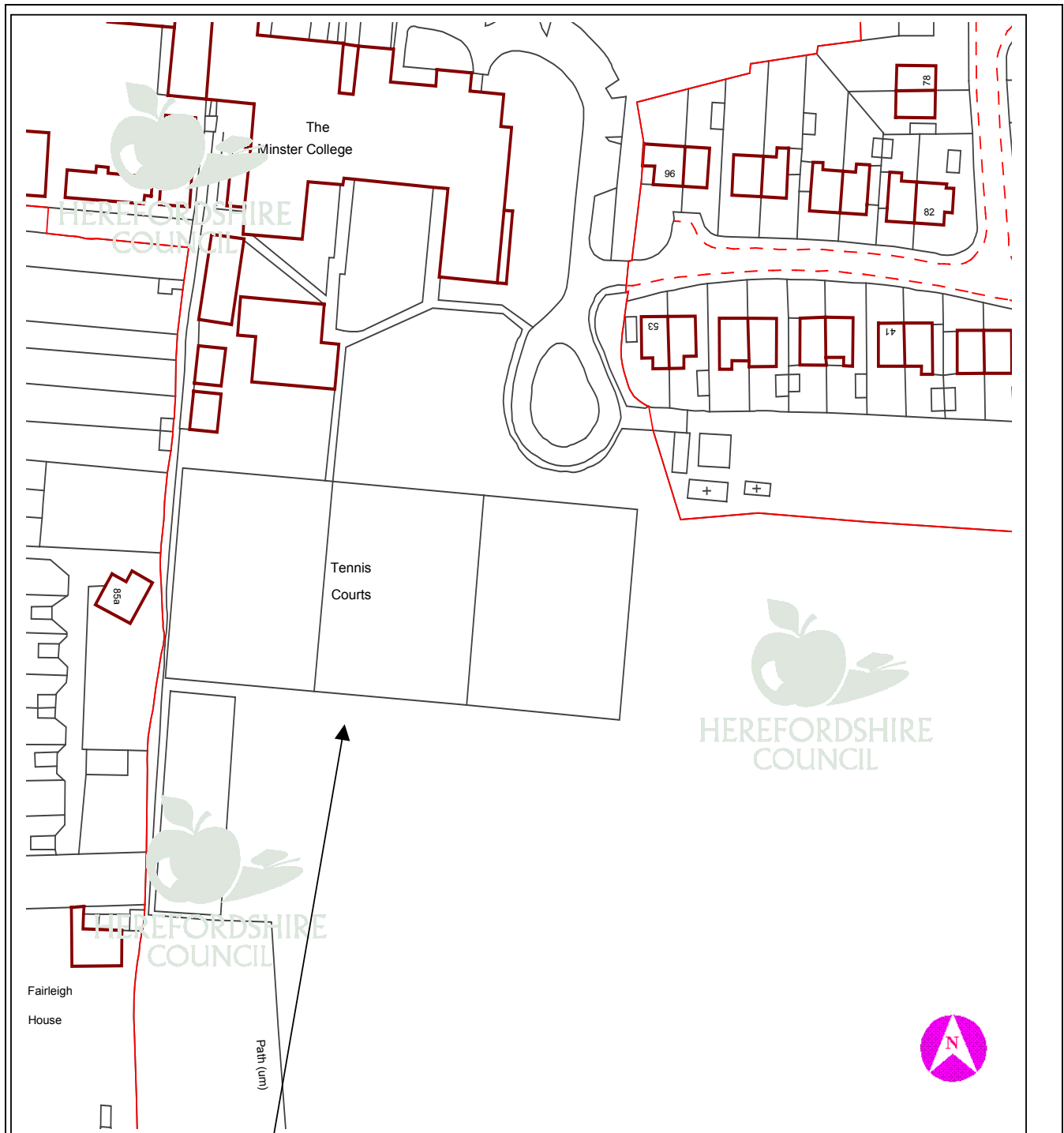
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNC2008/1934/CD

SCALE : 1 : 1250

SITE ADDRESS : Minster College, South Street, Leominster, Herefordshire, HR6 8JJ

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**DCSE2008/1827/CD - NEW SCHOOL HALL IN SCHOOL
 GROUNDS, ST JOSEPHS R.C. PRIMARY SCHOOL, THE
 AVENUE, ROSS-ON-WYE, HEREFORDSHIRE,
 HR9 5AW**

**For: School Governors per Property Services
 Manager, Herefordshire Council Property Services,
 Franklin House, 4 Commercial Road, Hereford,
 HR1 2BB**

Date Received: 18th July 2008 Ward: Ross-on-Wye East Grid Ref: 59868, 23469

Expiry Date: 12th September 2008

Local Member: Councillor Mrs A E Gray
 Councillor P Cutter

1. Site Description and Proposal

- 1.1 St Joseph's Primary School occupies a 0.8 hectare site to the south of Ross-on-Wye town centre, within the town's Conservation Area and the Wye Valley Area of Outstanding Natural Beauty. It is situated to the east of the Walford Road, with access gained off The Avenue to the north of the site, between two residential properties, Copsehurst and Applewood. The site is land locked by residential development. Immediately to the west of the school building lies the former St Joseph's Convent, which has been converted to residential accommodation and a new building erected to the north. The surrounding area is typically suburban in character, to the north and west of the site the areas are generally characterised by large, detached Victorian and Edwardian villas with mature soft landscaping, although some more modern infill development has taken place. The development in Eastfield Road, to the west of the site, comprises mixed residential development, with properties occupying long plots.
- 1.2 The flat roofed, school building is in the northern part of the long, narrow site, with a tarmaced playground, car parking and grassed play areas to the south. Within the site levels slope gradually down from north to south and from west to east. The school occupies higher ground than the properties in Eastfield Road. A tall stone wall defines the boundary of the school and Badgers Rest, the wall then reduces in height between the school and Hornbeam, number 9 Eastfield Road.
- 1.3 It is proposed to provide a new school hall, which would incorporate toilets, storage areas, boiler room, kitchen, and disabled toilet and shower. The building would be sited to the south of the main school building, at a lower level than the school and play ground and would be some 29 metres in length, 11.8 metres in width and 8.2 metres in height to the roof ridge. The elevations would be predominantly brick with some glazing and a slate roof.

2. Policies

2.1 Department of Environment

- | | | |
|-------|---|---------------------------------------|
| PPS 1 | - | Delivering Sustainable Development |
| PPG15 | - | Planning and the Historic Environment |

- PPG 17 - Planning for Open Space, Sport and Recreation
- PPS25 - Development and Flood Risk

2.2 Herefordshire Unitary Development Plan

Part 1

- Policy S2 - Development Requirements
- Policy S8 - Recreation, Sport and Tourism Development
- Policy S11 - Community Facilities and Services

Part 2

- Policy DR1 - Design
- Policy DR2 - Land Use and Activity
- Policy DR3 - Movement
- Policy DR4 - Environment
- Policy LA1 - Areas of Outstanding Natural Beauty
- Policy HBA6 - New Development within Conservation Areas
- Policy RST1 - Criteria for Recreation, Sport and Tourism Development
- Policy RST2 - Recreation, Sport and Tourism Development within Areas of Outstanding Natural Beauty

3. Planning History

- | | | | | |
|-----|----------------|---|---|--------------------|
| 3.1 | SH94/0854/PF | Extension to form new office accommodation | - | Granted 29.08.94 |
| | SH95/1345/PF | Extension to form larger classroom, with cloaks and toilet | - | Granted 31.01.96 |
| | SH99/2705/PF | Extension to rear of school to create a new classroom area | - | Granted 19.08.99 |
| | SE2000/0609/F | New playground and access steps | - | Granted 26.05.00 |
| | SE2002/2705/F | Extension to provide classroom, cloaks and store. Re-provision of displaced car parking | | Granted 19.08.02 |
| | SE2005/1190/F | Brick and slate construction to provide replacement hall, toilets and playground | | Withdrawn 02.06.05 |
| | SE20078/1154/F | New School Hall | | Withdrawn 19.06.08 |

4. Consultation Summary

Statutory Consultations

- 4.1 Sport England - no comments to make.
- 4.2 Welsh Water raise no objections, subject to the imposition of conditions regarding foul and surface water discharges and land drainage run-off.

Internal Council advice

- 4.3 The Traffic Manager raises no objections.
- 4.4 Conservation Manager has no objection subject to standard conditions on glazing systems details, brick and roofing material samples.
- 4.5 Children and Young People's Directorate has no objections to this application as it rectifies issues identified in their Suitability Assessment.
- 4.6 The Head of Environmental Health - satisfied that it should not result in undue disturbance to local residents. If noise associated with the activities within the hall should, however, prove to cause nuisance, the Environmental Protection Act 1990 provides powers requiring those responsible to abate the nuisance.

5. Representations

- 5.1 The applicant has submitted a Design and Access Statement and additional information in support of the application. These state, in summary:
- school site is served by a bus route along Walford Road
 - design takes account of Part M of the Building Regulations, to ensure disabled access
 - it is designed to accord with the recommendations of Sport England for use, as a Badminton Court at times, necessitating an internal height of 6.1 metres
 - to lessen impact it has been sited at a lower level than the school.
 - materials will harmonise with the surrounding area and development
 - Polychromatic brickwork and cladding panels have been proposed to break up the visual mass of the building
 - landscaping will harmonise with existing.
 - a primary school hall should be 145 square metres, according to Building Bulletin 99. The existing hall is 105 square metres and is inadequate. The proposed hall is 180 square metres (only 35 square metres above the minimum) which is the minimum recommended by Sport England
 - a multi-purpose hall unit size is a badminton court. Secondary schools usually have a 4 court hall, so would be much bigger than proposed.
 - hall can serve the local community from sports to local societies to involve the local community with the school
 - envisaged that the hall would be used for out-of-school activities to generate additional funds for the school. The policy on letting would be decided by the school's Head Teacher and Governors.
 - main purpose of the hall is to enhance the children's education by school hours activities and facilitate the holding of school concerts.
 - Location, detached from the school, would not have such an impact as an extension to the school due to the higher land levels occupied by the school.
- 5.2 Ross-on-Wye Town Council - No objections.
- 5.3 Seven objections have been received from Lesley and David Whitehead of Badgers Rest, Doris Rogers of Waynelete, Eastfield Road, Barbara Handcock of Wentworth, Eastfield Road, Jon and Jill Stern of Hornbeams, 9, Eastfield Road, Geoff Howell of Highbank, 15 Eastfield Road, Therese and David Warwick of Chevenhall, Walford Road and G Crisp of Applewood, The Avenue. The main issues raised are:

- Catholic authorities sold off school hall, if they do not fund the new, proposed hall I object, as funding should not come from the Council.
- the school was on the list of proposed closures/amalgamations and there are predicted falling rolls for schools.
- height and size of the building is out of proportion with all the existing school buildings and other development in the area and would affect amenity and Conservation Area.
- position of the building would affect our privacy (Badgers Rest & Hornbeam), amenity (Badgers Rest, Hornbeam & Chevenhall) and may overshadow (Hornbeam)
- due to height of building and levels the perceived height of the building would be amplified
- proposed use, out of school hours up to 22.00 hours seven days per week, would be harmful to residential amenity and would illuminate the whole area
- this location is unsuitable for a public sports facility being a quiet residential area with at least two residential nursing homes and in a Conservation Area and would lead to significant amounts of noise and vehicular movements
- a hall of an appropriate size for around 100 primary school children should be built, the proposal is excessive in size in relation to its need
- a hall should be provided on the existing playground, nearer to the school to reduce the long walk that is proposed
- we (Hornbeam) experience minor flooding and standing water after heavy rain and when the water table is high. The proposal would exacerbate this.
- there is limited car parking and existing parking and access are alongside some residents' gardens.
- no objection to the school having a new hall, but object to this proposal due to position, size, extended use and hours
- new school hall may be sold off again, like the old one was, by the Sisters of St Joseph of Annecy, as they have left the area and have no involvement with the school now
- proposal would leave an area free and ripe to be developed as infill.
- building could be used 365 days a year from 9am to 10pm, which would be unacceptable. Existing noise from cars etc is only on school days, for school hours and in term time only. This is acceptable in a residential area.

The full text of these letters can be inspected at Southern Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officer's Appraisal

- 6.1 The main considerations in the determination of this application are the effect of the proposal on the character and appearance of the Conservation Area and Wye Valley Area of Outstanding Natural Beauty, the impact upon highway safety and the amenity of area.
- 6.2 In principle, the Herefordshire Unitary Development Plan policies and Government advice, as set out in PPG 17, encourage the provision of new and extended sporting and community facilities. Policy S8 of the Unitary Development Plan states that the provision of appropriate new sport facilities will be supported, but should take into account environmental impacts. In respect of this proposal this would include impact upon the Conservation Area, Area of Outstanding Natural Beauty and residential amenity within the locality. Amongst other criteria Policy S8 states that priority will be given to facilities which reduce land take and duplication of provision by ensuring shared use by different user groups and are in locations that can cater for a wide

range of users. Policy RST1 sets out the more detailed criteria for the consideration of sport, recreation and tourism developments. Specifically it requires proposals to be appropriate to the needs of the community, having regard to the nature of the use, mode of operation, scale and design, not harmful to the amenity of nearby residents, to be respectful of the environmental character of the area, where possible be accessible by a choice of modes of transport and be designed to be accessible to all.

- 6.3 St Joseph's Primary School currently does not have an adequately sized school hall. Within the school there is a hall, but at 105 square metres it falls some 40 square metres short of the required size. Previously the school used a hall connected to the former convent, but this has been demolished. Currently the pupils have to be transported to other facilities to meet the physical educational requirements of the National Curriculum. The size of the proposed hall would meet and exceed by 35 square metres the size requirements for primary school curriculum needs. A sports hall of 180 square metres, the minimum recommended by Sport England, would enable the building to be used for other activities such as badminton (not competition standard). In addition the inclusion of a beverage area and toilets would enable the hall to be used for other community uses outside of school hours.
- 6.4 Both primary legislation and planning policies state that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Due to the siting of the proposed hall and the existing development to all of the site boundaries, any views of the proposal from outside of the site would be partially obscured by existing development and landscaping. The proposed building would be large in scale at some 8.4 metres, whereas the existing school building is 3.5 metres. However, due to the 2 metre difference in land levels between the position of the school and that of the proposed hall, the height difference would be 2.9 metres. The proposed use of the building, as a hall, dictates to a large degree the size of the footprint and the height of the building. Whilst the size could possibly be reduced by 35 square metres, to the size required for primary schools, the benefits of reducing the size would be outweighed by the resulting inability to use the building for a range of users as encouraged by planning policies. By reason of its siting, it is considered that although the building would be large the scheme would not have an adverse impact upon the character and appearance of the Conservation Area as a whole.
- 6.5 Policy RST2 stipulates the requirements for sporting developments in the Area of Outstanding Natural Beauty. It states that proposals should respect the inherent distinctiveness of the local landscape, be small in scale and constructed from appropriate materials and make a positive contribution to the enjoyment of the natural beauty of the Area of Outstanding Natural Beauty. The Wye Valley Area of Outstanding Natural Beauty washes over the town of Ross-on-Wye and its built up areas. Taking into account the siting of the proposal, in a suburban context, and the existing character and appearance of the vicinity, it is considered that the proposal would not be detrimental to the qualities of the Area of Outstanding Natural Beauty.
- 6.6 The proposal would replace the existing hall, so in terms of transportation issues for its use in connection with the school, the impact would be neutral. However it is intended to use the proposed hall facilities for community use, which may generate additional traffic outside of school hours. The site is within walking distance of the town centre and is accessible by bus. To accommodate additional modes of transport to the site the requirement for the storage of cycles is considered appropriate. A condition could satisfactorily control this. Therefore it is considered that this sustainable location is acceptable in highway terms.

- 6.7 The site lies within a primarily residential area. In considering the impact of the proposal upon residential amenity there are two issues, firstly the physical impact of the building and secondly the impact of its use and particularly the out of school use proposed. The proposed building would be tall, this is a functional requirement of its intended use. At its nearest point the building would be some 16.5 metres from the nearest boundary of a residential property to the east and some 7.5 metres to the west. However, to the east Hornbeam is set back some 48 metres from this boundary and Badgers Rest 10 metres and set at an angle and to the west Lawfords House (residential care home) and Chevenhall are set back in their plots. The Coach House at Chevenhall is closer to the boundary with the school, but is obscured by mature trees and hedgerows. The building would be seen from some of the objectors properties, however in its context a building of the siting, size and design proposed would not in itself be harmful to their outlook and would not be overbearing. The introduction of soft landscaping to the eastern boundary could reduce views of the building and provide additional privacy from the existing school grounds to Hornbeam. Although the land levels are higher within the application site in relation to the properties to the east, by reason of the distance separation, the orientation of the proposal and dwellings and the high level windows in the eastern elevation and blank western elevation it is considered that the proposal would not unacceptably impinge upon privacy. The steps referred to by one objector (Badgers Rest) from the school down to the play ground are existing and do not afford views of all of their garden due to the existing tall, stone boundary wall. In terms of the physical impact of the building on residential amenity it is considered to be acceptable.
- 6.8 The use of the building for the educational needs of the school is considered acceptable and the objectors do not oppose this. However there is great concern raised about the use outside of school hours, at the weekend and all year round by other users. Planning policies encourage shared use of facilities for the benefit of the community as a whole and to reduce land intake and duplication of facilities. Balanced against this is the amenity of local residents and the impact the extended use would have on the enjoyment of their properties in this essentially residential area. The main potential impacts upon amenity would arise from noise, additional parking and lighting.
- 6.9 The hall would provide indoor facilities for sport and recreation, which would not be noisy activities. Such a use is generally acceptable in residential areas and whilst there may be some limited noise when users arrive and leave the site it would be difficult to refuse planning permission on this basis alone. If noise nuisance did arise Environmental Health legislation could control this.
- 6.10 As set out in paragraph 6.6 the site is close the town centre and could be accessed by public transport, cycling and walking. There is limited parking in the site. On the basis of the size of facilities proposed and its proximity to the community it would serve, the Traffic Manager has no objections.
- 6.11 With regards lighting, this may be required from the access into the site to the hall. As the hall would provide for indoor sporting activity there should be no need for floodlighting. Any outdoor lighting, to indicate the entrance door etc, could be controlled so that it did not cause harm to amenity.
- 6.12 In conclusion, the proposed scheme would not cause demonstrable harm, either through its built form or use, to the Conservation Area, Area of Outstanding Natural Beauty, highway safety or residential amenity.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. **A01 (Time limit for commencement (full permission))**

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. **C01 (Samples of external materials)**

Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan

3. **L01 (Foul/surface water drainage)**

Reason: To protect the integrity of the public sewerage system and to comply with Policy CF2 of Herefordshire Unitary Development Plan.

4. **L02 (No surface water to connect to public system)**

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.

5. **L03 (No drainage run-off to public system)**

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.

6. **G10 (Landscaping scheme)**

Reason: In order to maintain the visual amenities of the area and to conform with Policy LA6 of Herefordshire Unitary Development Plan.

7. **G11 (Landscaping scheme - implementation)**

Reason: In order to maintain the visual amenities of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.

8. **H29 (Secure covered cycle parking provision)**

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

9. I33 (External lighting)

Reason: To safeguard the character and amenities of the area and to comply with Policy DR14 of Herefordshire Unitary Development Plan.

Informative(s):

- 1. W01 - Welsh Water Connection to PSS**
- 2. N19 - Avoidance of doubt - Approved Plans**
- 3. N15 - Reason(s) for the Grant of Planning Permission**

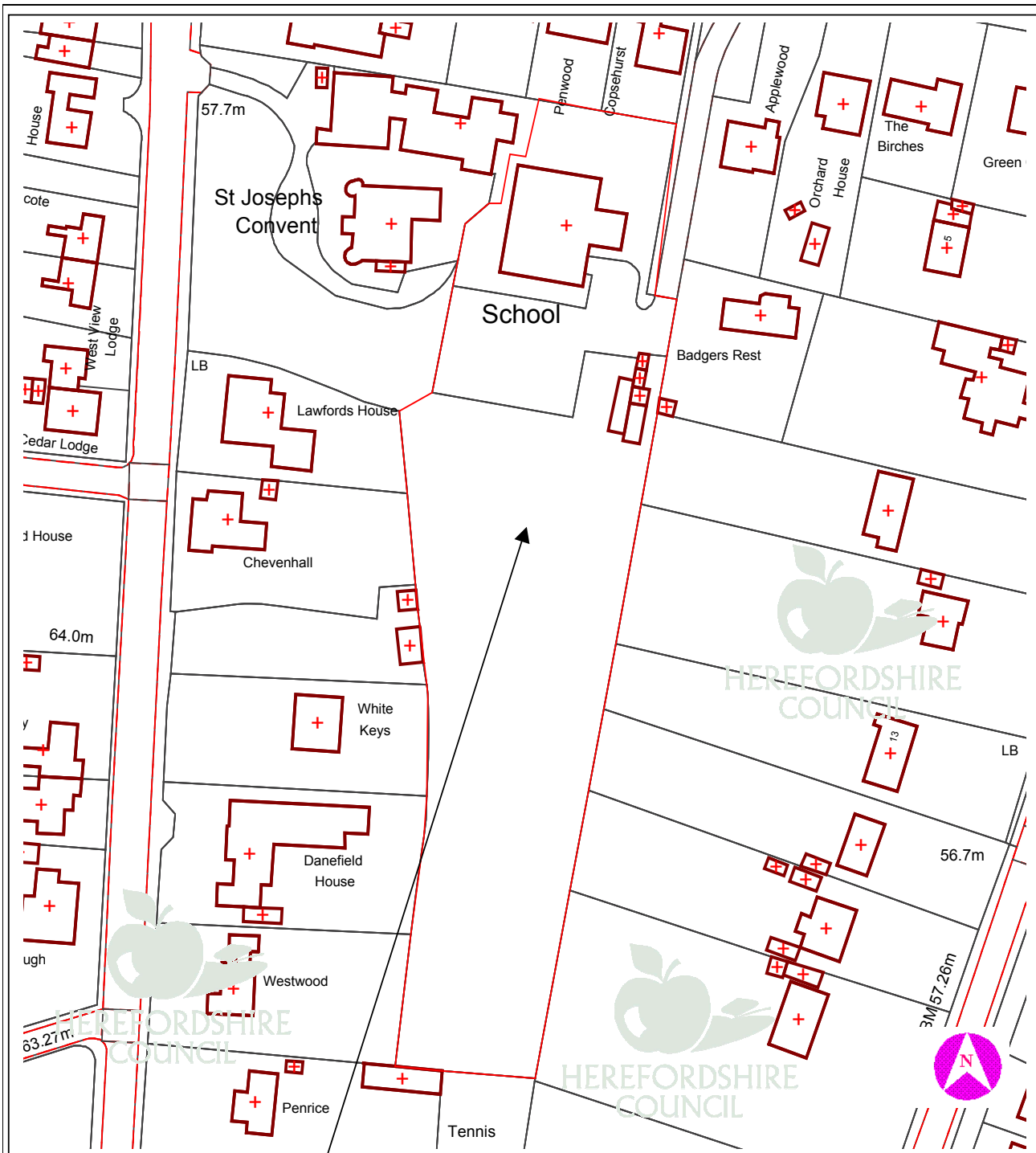
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2008/1827/CD

SCALE : 1 : 1250

SITE ADDRESS : St Josephs R.C. Primary School, The Avenue, Ross-on-Wye, Herefordshire, HR9 5AW

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